# COMMISSION OF INQUIRY INTO THE NON-MEDICAL USE OF DRUGS

# COMMISSION D'ENQUETE SUR L'USAGE DES DROGUES A DES FINS NON MEDICALES

October 17, 1969
Hart House
University of Toronto
TORONTO, Ontario

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COMMISSION OF INQUIRY
INTO THE
NON-MEDICAL USE OF DRUGS

COMMISSION D'ENQUETE
SUR L'USAGE DES DROGUES
A DES FINS NON MEDICALES

BEFORE:

Gerald LeDain, Chairman,

Ian Campbell, Member,

J. Peter Stein, Member,

H. E. Lehmann, M.D., Member,

James J. Moore, Executive Secretary,

Marie-Andre Bertrand, Member.

COUNSEL:

J. Bowlby, Q.C., Counsel for the Commission

RESEARCH:

Dr. Ralph Miller,

Miss Margaret Aboud.

SECRETARY TO THE CHAIRMAN:

Vivian Luscombe.

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COMMISSION OF INQUIRY INTO THE NON-MEDICAL USE OF DRUGS

Noon Session

at Hart House, University of Toronto,

October 17th, 1969.

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THE CHAIRMAN: We have just come from our morning session in St. Lawrence Hall. It has been very interesting, we have heard from Dr. Rakoff and from this University and the Canadian Mental Health Association with particular reference to the meaning of this whole thing, why - the motivation, the factors and relationship to what is happening in our society as a whole and also with reference to the kind of supportive service that we need in society today; give us information that is reliable and give it to us in time, and also give us medical help, that is competent, and in other words, generally a more helpful social situation. Now, I would just like to remind you that this is a general discussion, you are the masters of it. We are here to listen and to learn. It may be helpful just to refresh your memory about our terms of reference, in a somewhat abbreviated form: we were appointed at the end of May as an independent Commission. We have no - we are not accountable to any part of the government, we were appointed under Part I of The Inquiries Act, we have a very general mandate to try to get at the truth and to tell it as best we can, and to let the chips fall where they may and it is not for us at this time to worry about

COMMUNICATION: IN INDIAN CAMP THE NON-MEDICAL, THE PROFESSIONAL

Noon session

at Hart House, University of Toronto,

October 17th, 1949.

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THE CHAIRMAN: We have just come from our morning session in the Conference Hall. It has been very interesting, we have heard from Mr. Shafer-Ross from this University and the Canadian Mental Health Association with particular reference to the research he is doing, why - from motivation, the feature that stimulates us where in Responsibility is our approach as a whole and also with reference to the kind of experiences involved that we need in society today, also on authorities that is reliable and give it to us in plain, use words, not medical words, that is commonsense and in other words, generally a more helpful social situation. Now, I would just like to remind you that this is a conference of people you are the masters of it. We are here to learn and to learn. It may be helpful [illegible] your memory about our terms of reference, in a summary observation from we were appointed at the end of May as an Independent Commission. We have no - we are not accountable to any part of the government, we were appointed under part I of the Canada Act. It was a very general mandate we may be met in the south and to tell it as best we can, and we let the chips fall where they may, and it is not for us at this time to worry about

what is going to be done with our recommendations politically. We were told that we were set up because there was a lack of understanding, a lack of - a very small body of accepted knowledge, and we should try to contribute to that - to contribute to understanding. So we do see our role not just as investigators but also as part of the role of public education. We accept that part of our mandate, and we want to contribute to general public discussions and we see this not as a purely scientific issue by any means. It is a broad social issue on which every Canadian has something important to say and we want to hear as much Canadian opinion as possible on this subject. Now the specific areas that we are asked to look into are, first of all the extent of the drug use as a phenomenon of the non-medical use of drugs, what is called the epidemiology, the patterns of use, the drugs involved, the relationship between the different drugs, and perhaps between the different drug populations. Secondly, the effects of the drugs, both physiological and psychological, and perhaps behavioural, as well as the effects of this on society - on others, third persons, if any, amongst society and finally, and perhaps most importantly, what is the largest significance of this, what is its true social context. We are asked in effect to place this subject in a valid context, what are the personal motivations involved in the various populations, what are the social, philosophic, other factors, involved. In what way is this related to some of the big issues of our times, social development, this profound change that

we are going through; and we are getting the impression that this third aspect of our inquiry, perhaps the one about which there is the greatest expectation from us, that is to say, it is not expected that we would be able to contribute too much or add too much to the medical knowledge. Our job is to give it a critical evaluation to the best of our abilities, sift the good from the bad. But we haven't got the time to carry out significant experimentation ourselves, we may contribute perhaps, as I say, to communicating the accepted volume of truth, but there seems to be an expectation that we may be able to do something to help about this larger question of the reasons for it and its relationship that is ongoing and what the future looks like, so we are particularly interested in hearing your views on this. Now, I don't want to confine it to that or exclude discussion of any other points, but we would find it most helpful to hear your views on what is the meaning of this, what is the root of the matter, and how is this related to human existence generally in our times, and with that I invite you to kick it off. I might just say by way of a point of departure, Dr. Rakoff said to us, among many interesting and illuminating things this morning; he said that he was surprised that such a spurious cause as marihuana - - this is, feeling good for an hour or so, has become such a rallying cry for social militancy. What do you think about that statement? Is there in fact any true relationship between this drug use, and particularly Cannabis, and the true valid objective of social militancy today?

I'm wondering, is it desirable that you go to a mike, it is going to be difficult -- perhaps, would you mind standing or speaking loudly so that others could hear. All right? That might be sufficient, not to have to go to the mikes. The mikes are placed around. Thanks.

THE PUBLIC: I represent the University of Toronto Legalize Marihuana Committee which has been circulating a petition on campus asking the government to legalize and control the sale of marihuana. We would like to present this brief to you.

THE PUBLIC: Would you use the mike, please.

THE CHAIRMAN: Yes, perhaps you had better. Would you mind?

THE PUBLIC: Yes, we would like to present this brief. I do not intend at this moment to read the entire brief. We will have copies given to the Commission. Some parts will not be relevant. The aims of the brief: The brief contains the Committee's collective impressions of students and staff reaction to the petition circulated on campus on September the 22nd of this year. The following remarks are made on individual discussions that Committee members have had with those that were asked to sign the petition. We met and shared our observations on the attitudes and reactions and these make up the substance of this brief. These are rough estimates only. No attemptwas made to keep any kind of record except for the number of signatures, as such an attempt would have been physically very difficult and

indeed impossible. We also offer for the Commission's consideration the reasons why we as a Committee were circulating this petition and thus why we believe that marihuana should be legalized and controlled.

The next section is just for the information of the Committee and it amounts to saying we started as one person and ended up as thirty and that our efforts on campus are very extensive. We should mention in this regard that our petition and the council's resolution that calls for the legalization of marihuana were adopted by the students' Administrative Council of the University of Toronto and states it's official position in this matter. We estimate that we have been in contact with about fifty percent of the daytime student body. To date the Committee has received 3,300 signatures. I might add here that this petition is also being circulated in Glendon and at York and as of last night I was told there was a total of 700 signatures at those two universities.

Aims of our Committee:

Since there is neither a political party nor one interested or respected public leader who will advocate the sale or possession of marihuana to be legalized, the people who hold this view have no political voice.

Our main aim was to give those on campus who support these views a chance to express their opinion.

(2) Another aim is to provide some means for estimating the strength of the support that is seen

at the University of Toronto.

(3) We hope to play a part in that protest which may result in the legalized and controlled sale of marihuana.

Our petition reads:

In view of the relative harmlessness of marihuana and in view of its widespread use, our request is that the Government of Canada will legalize and control the sale of marihuana.

Reactions to the petition:

(1) We estimate that roughly one in three, or thirty-three percent of those we asked to sign did in fact sign the petition.

The reasons most often offered for signing may be grouped under two major issues as they were stated in the petition. We list them into what we think is the order of importance:

(a) That you entitle widespread use and control sale of marihuana.

Although it is impossible to obtain credible statistics on the number of users, there are nevertheless certain indirect indications that its use is very widespread:

(1) The growing number of arrests by the police in the last few years and the reported dollar value of marihuana confiscated by the police officers. Particular mention is made of the 200 bongo drum incident last summer when the police reported they seized in one seizure $250,000 worth of marihuana.

(2) The open use of pot and hashish. It

has been reported that at all of the rock festivals this summer that the visible number of users in this case is in the tens of thousands. This is particularly Woodstock. Pot has reached a certain cultural and social acceptance as a number of marihuana movies seem to indicate. One is reminded of Easy Rider, Midnight Cowboy, Blow-up, and I Love You Alice B. Toklas. In regards to Easy Rider, somebody mentioned that the only time they didn't do a joint was when they were in jail. Personally, I was surprised that they didn't do one in jail.

The number of handshops that flourish in North American cities selling paraphernalia for the use of pot and hashish: pipes, roach pot holders, psychedelic posters, incense holders, strobe lights and strobe candles and other cult objects.

At the C.N.E. Galaxy, the Exhibition and the Automotive, or the former Automotive Building, offered, as well as rock music, (late) shows, records and crafts, all of the standard accoutrements of the cannabis user. In other words, the widespread use of marihuana with this accompanying youth subculture and the periodical art forms is simply a fact of life, and is certainly very much a fact of life for many people at the U. of T.

But this culture has also developed its own uncontrolled methods of distributing what are called illicit drugs, of which marihuana seems to be the most widely used. This situation, where drugs are bought and sold easily yet illegally, presents dangers for those who buy. These risks seem particularly unjustified in the case of marihuana since they present a greater -- often present a greater danger to the user of marihuana than the user

would experience if he bought marihuana at a controlled outlet. That is to say, something like an L.C.B.O. or an M.C.B.C. as they call it, Marihuana Control Board of Canada.

The government controlled sale of marihuana would eliminate the following hazards:

(1) Possibly, a large scale involvement of the criminal underworld in the distribution of marihuana. Marihuana can be bought in Mexico for a few dollars a pound and it sells in Toronto for between $20 to $30 an ounce. In the face of the recent American crackdown, anyone who has the money and the bribes, if bribes are necessary, and the means to move large amounts of marihuana across the admittedly unguarded parts of the Mexican border, can realize enormous profits in the distribution of the drug. And since the border crackdown, "operation intercept" will only stop the small dealer; the way is left open for others who are better organized. Society found that the underworld involvement in the sale of alcohol during the Prohibition was intolerable. Is there any reason to suppose its involvement in the large marihuana market would make it any more acceptable?

(2) Anyone who buys marihuana on the street literally does not know what he is getting. It is not unknown for a person to be "burned" buying an ounce of oregano. Some students profess knowledge of cases where pot was laced with opium or other unknown drugs, whose effects were more

dangerous than the known effects of marihuana. At least one member of the Committee, (this is myself) knows people who seemed to have gotten more than they bargained for when they bought grass off the street. But whether or not much of the marihuana which comes into the city is impure, it is nevertheless in the interest of many smokers to know what they are buying; the strength, quality and purity. When alcohol, a substance of known risk is controlled in these regards, why should marihuana be allowed to circulate without any controls at all?

Briefly stated, the present situation presents a problem. It maintains that many social risks are extraneous to and indeed more serious than the risks that might be associated with the smoking of marihuana under controlled conditions. Given this state of affairs, many of those who signed the petition are asking the government to legalize and control the sale of marihuana.

Another major reason for signing the petition, included under the other dangers in the present situation, is the issue of personal freedom. Many on campus felt that a further danger of illegality of marihuana was the deep feelings of alienation that this constitutes. In the course of doing their job in the enforcement of the prohibition of marihuana, the police are forced to resort to such tactics as undercover agents, phone tapping and other spying manoeuvres in order to obtain confessions, and I make brief reference to a news report where apparently

1 approximately twelve people have been arrested
2 on drug charges in the city in which the police
3 admitted using undercover agents to effect this.
4 These tactics in turn generate deep distrust
5 and resentment. An officer who sells marihuana
6 in order to find users or who mingles with the
7 drug community is apparently not guilty of
8 anything. He is doing a job. Those he sells
9 to and those he mingles with are treated as
10 dangerous criminals. These efforts on the part of
11 the police have not only failed to stem or even
12 dint the rising tide of users, they have also
13 forced widespread contempt for both the law itself
14 and law enforcement agencies in general. One law
15 student indicated he was signing because an unworkable
16 law such as this brings law, the courts and the police
17 into disrepute.
18 Personal freedom: The case of
19 marihuana seems to be a classic example of what
20 is called crime and the victim. Those who openly
21 smoked pot at rock festivals did not go mad
22 or erupt in violence despite standard claims
23 that pot users become violent. Reports such
24 as the La Guardia Report and the Indian Hemp
25 Commission have presented strong evidence for the
26 following beliefs:
27 (1) Marihuana is not physically
28 addicting nor does it develop physical tolerance.
29 (2) Long term moderate use in mild
30 forms does not lead to any noticeable deterioration

in intellectual capacity or noticeable changes in personality structure. Its use does not seem to be morally degrading.

Why then are the people who use marihuana hounded by the police and subjected to spy techniques mentioned above. It seems to many on the campus that the State does not have the right to invade the privacy of and to harass those who wish to smoke cannabis rather than indulge in the use of alcohol. Denial of this basic freedom on the part of the State and its apparatus is really the source of much of the distrust mentioned above. Many of those who signed said something like, "I don't use it myself, but why should those who do be thrown in jail?" At this point it's interesting to note that we presented and circulated almost no information on marihuana. We attempted to circulate the brief on the London Legalize Marihuana Committee in connection with Mr. Bryant Brown (but other attempts proved that it was too expensive). In other words, what we did was just go out and ask people from out of the blue in many cases, to sign the petition, and those who signed had obviously previously made up their minds, like previously to even hearing of a petition.

So that you could say that although not all those who signed the petition smoked cannabis, a great proportion of them had what might be called a cultural familiarity of the use of marihuana. They don't smoke it, they've heard of or know someone who does. Furthermore, the rock music has created a medium which also acts as a source of

information as well as pleasure to both the user and the non-user. In summary, the Committee suggests that those who signed did so because they believe the sale of marihuana should be controlled, that there are definite risks in the present situation which outweigh those resulting from the use of marihuana itself and they wish to assert that the State has no right in interfering with the lives of individuals when their alleged crim is ridiculous.

I would now like to suggest why some didn't sign, who were asked, didn't sign the petition.

We estimate that ten percent of those who were asked and did not sign, nevertheless did support the petition. In general, the reasons given were, fear of police surveillance, harassment or arrest investigation or otherwise being the object of police attention. On the other hand, many professional students thought that by signing the petition they ran the risk of being black listed by groups whose influence they sought. One student said he was hoping to get security clearance; others said they were afraid they would lose a scholarship or be denied entrance into the university they wished to enter. Amongst this group, this entire group, it was axiomatic that the police will be handed the signatures - - that the police will use them to some end detrimental to the future of those who signed. These people cannot be swayed by the fact that the number of previous signatures made systematic investigation virtually impossible.

They just refused to sign, although they supported the petition. The obvious conclusion is, those who are very deeply alienated could not even protest their own plight. They are so far up that they cannot even complain.

We estimate that fifteen percent did not sign because they disagreed with the principles stated in the petition. Our discussions indicated - - the people indicated that - - the majority of these felt that on principle, that it was wrong to legalize marihuana. Many stated that in their opinion smoking marihuana was just not comparable to drinking or smoking tobacco. We estimate that fifteen percent of those who did not sign felt they knew too little about the subject. Committee members presented some of the ideas mentioned in this brief, but to no effect. Rather than attribute this as a reflection upon our ability we prefer to assume that these people are awaiting a report of this Commission before taking a stand one way or the other.

Lastly, we estimate that about twenty-two percent of those approached gave no reason for not signing, nor did they give any indication of their stand in the matter. They would say something like, "No thanks", or some obviously non-emotional remark. They would just say no. We have simply no idea why they did not sign the petition.

Last, I would like to present briefly the Committee's position on this matter. For what we have to say has been implied very clearly and much has already been said, and a simple statement

will suffice. We, as a Committee, believe that the State has no right to spy upon, to hound, to arrest people when the crime they are allegedly committing does not seem to hurt anyone, apparently not even themselves. It is really for this reason we have been circulating the petition asking the Government to legalize and control the sale of marihuana, for only in this way can we deal with the interest that justice be served.

We thank the Commission for listening to this. Peace.

THE CHAIRMAN: Well, Mr. Mason, thank you very much for that submission. Before I invite questions and discussions, I wonder if you could clarify what you said about the approval from the Students' Administrative Council. Did I understand you to say that the policy expressed and the recommendations in the brief have now been adopted as the official policy of the Student Council of the University of Toronto?

MR. MASON: Yes, and they accepted me to sign when I was asking for money for the Committee. I also asked that our petition be officially recognized, stating SAC's position regarding the legalization of marihuana. It was moved by - I believe, Mr. (Bob Berkwell), that SAC recognize the costs to the Canadian Union of Students resolution calling for the legalization of marihuana, and other things, and now our petition is stating its official position on the matter.

THE CHAIRMAN: This was at a meeting of the Executive Committee of SAC?

MR. MASON: Right. I dropped into that meeting about a week ago - a week and a half ago.

THE CHAIRMAN: Well, is there any response to that submission? Anyone care to add to what was said; make any further observations?

Yes?

THE PUBLIC: Well, to ask with regards to - - I'm sorry, this is off the cuff; I intended to write something down and I also intend to write a letter of my personal views to the Commission. You asked about social relevance. I have a definite stand on this. I think it is extremely important that we do something about marihuana, not because of the drug itself, but because of the social situation that has arisen. You asked about militancy. I personally am not militant in the sense that I belong to any leftist organization, but I firmly believe in social improvement. But I would like to give some reasons for this. I presently work in Yorkville Village for - - not in a social worker's capacity but just simply as a worker there. I met some people, friends from public school who I thought would do reasonably well, and apparently they have gone extremist in the use of drugs. I have also worked down in Cabbage Town and there are similar situations there. I am afraid if marihuana is kept illegal it will branch in that sort of region because of the depressing situation there.

I don't think police have the right to determine moral values. Let me give another example of this: I was involved in a situation in the middle of August at Peace Bridge at Buffalo in which I feel there could be criminal charges laid against the Chief of Narcotics for Buffalo. There was a taped interview with the gentleman two or three days after this in which he said that Canadians, like Americans, are fine, respectable people, but once in a while you get a few despicable, unkempt types; and I don't think that gives his officers cause to, let's say, allegedly beat up Canadian citizens. Four were beaten up and I think we can prove this, and we are still waiting to hear from the Government on this. I don't think we have as bad a situation in Canada but I would like to see more control. When we have a situation in which somebody in a University, for instance, can write down obscenities on a petition simply because he doesn't like the idea or can hold up a petition and refuse, let's say, a hundred students from at least seeing it, I think this is extremely radical, on the outside, and for that reason many, many people have been polarized to the other extreme. This is very unfortunate and we've got to get out of it, but the arguments against marihuana and other drugs show a great lack of understanding and extreme ignorance. I think this is it. Marihuana should be legalized and a greater understanding involved.

THE PUBLIC: I would like to speak to

1 two points on the question of the legalization of
2 marihuana and the two points turn around the social
3 consequences of its being illegal, not its medical
4 or moral consequences. First of all, the market
5 in marihuana at this point I think is being - -
6 would be more and more in the field of what has
7 been called "organized crime" and the sources of
8 marihuana, in the city particularly, for the large
9 number of users, are going to be connected with
10 underground criminal elements and by making it
11 illegal this will naturally force the effect on
12 persons who would be normal citizens, by it, - -
13 you might call it corrupting, in a sense. The other
14 aspect is the fact that because it is illegal, users
15 and, you might call them traffickers, but persons
16 selling to their friends, etcetera, who are sources
17 of supply, who are normally otherwise law-abiding
18 citizens, do come in conflict with the police
19 authorities in this country and only because - -
20 they only come in contact on this one point on
21 marihuana. If we are to develop a society where
22 there is what we like to hope to be a respect for
23 law, respect for authority, where it is necessary,
24 and obviously we have got to remove the incidence - -
25 where the law -- where people consider the law to be
26 an ass because this is the way respect for authority
27 is broken down. I think that if marihuana is
28 legalized, that these two negative points in our
29 society, one, distrust or even hatred of law and
30 justice as epitomized by the courts coming down

heavily on marihuana users and also the contact that fosters with underworld criminal elements in the society and I think they would be removed and I think that would be really a great benefit to the future of this country.

Thank you.

THE PUBLIC: Again, I apologize for not having prepared anything formally. I would like to speak ---

THE CHAIRMAN: May I just stress the fact that we - - we in no way require or insist on this, in fact we welcome informal presentations. We don't want people to think that they have to prepare a brief and as it has been observed we will be glad to receive anything in writing after. This is not our last point of contact. We appreciate people coming forward in the way they are. Please continue.

THE PUBLIC: I would like to speak on two issues, deterrence and control. I would like to cite (Regina v. Adleman), British Columbia Court of Appeal. The Justice in the Court of Appeal sentenced the defendant to six months as a deterrent. Now, his reasons for sentencing - - he felt the incidence of marihuana had increased and in order to combat marihuana - or the incidence of marihuana - there needed to be a deterrent, and he handed down a sentence of six months to the defendant.

Now, I don't see that the Justice was correct in his analysis of the situation. Without quoting the figure - - I believe the incidence of

1 marihuana has increased tremendously since this decision
2 and I don't think this decision or any subsequent
3 decision of six months is a sufficient deterrent. I
4 don't think that the people who are, shall we say,
5 casual smokers, are really going to be deterred by a
6 sentence of six months. A professional student as my-
7 self, I am in the Law School, has to think about it, yet
8 I don't consider it a great deterrent. The fact that I
9 will be disbarred before I can be barred, called to the
10 Bar, presents some problem and is something I would
11 like to be changed. I would like to speak on the
12 issue of control. I think this analogy has been
13 used before rather extensively, but I - - in discussion
14 in the Law School, it has been brought up that
15 marihuana should run along the same lines - - or
16 restrictions on marihuana should run along the same
17 lines as restrictions of alcohol during the '20's
18 and effective control was not exercised by the
19 authorities, i.e., the F.B.I. were not able to
20 prevent the Mafiosa, et al, from brewing their own
21 whiskey in the United States and from their running
22 this whiskey in the United States. Now, I don't see
23 that - - that's not a libelous statement. Or the
24 brewers of Canada running their(own)products - - -
25 I don't see how the F.B.I. with the
26 law as it was, was exercising sufficient control
27 over the users or the brewers of alcohol. Now, the
28 same thing, I think, applies in the instance of
29 marihuana. I don't think that we are exercising
30 sufficient control. I don't support an issue where --

where something has to go underground and where it will flourish underground. There is too much disease and a cancerous state for the Mafia or organized crime in Ontario to flourish on - - on the - - on this issue. Now, I think that if we were to legalize marihuana we would be able to exercise a form of control over the use of the drug; forcing it above-ground where it can be controlled, something like the Liquor Control Board. If you have a Marihuana Control Board and you exercise the same rules of, I think rather intelligent legislation in marihuana as it is in alcohol. Now, I think that you can have - - to take an extreme incident, you can have a case of a family - - someone smoking - - smoking under age, as opposed to drinking, and I think that with rules of this nature setting up -- this is subject to criticism - - setting up a certain age limit where people can smoke, or are allowed to smoke legally or allowed to purchase the marihuana, then you will be able to exercise the need of control of the drug that way, it is necessary to exercise control and I think it should be taken out of the hands of the underworld and placed in the hands of the government - and I think it is also a good source of tax revenue as is alcohol and cigarettes.

THE PUBLIC: I would like to speak on one aspect of the whole situation which, no matter what the Commission's findings are, whether they recommend legalization or not, is going to be the immense factor or public opinion. Public opinion, especially of people in the thirty-and-over age bracket.

Now, there is a great confusion among this - - in this age bracket about marihuana. Marihuana as compared to other drugs: speed, acid, mescaline, peyote, and all these other drugs. I am alarmed - - I read in the newspaper once a week that the Police - - where people had been arrested - - believed they were on LSD or something like this at the time of the arrest - - using this as a crutch, hoping for sympathy in the courts, and it is this type of publicity in the newspaper which is creating a great - - great problems for a Committee such as yours when you are faced with the public opinion. What is going to happen? I can imagine the Liberal government trying to present a motion in the House of Commons to legalize marihuana and - - that public opinion would be in such an uproar, that the government; I can almost imagine being defeated on a non-confidence vote and this is something which a government would have to think twice about doing, and I am greatly disturbed about how to influence and educate the older age group as to what we all here know about what the dangers and non-dangers of marihuana are as compared to the other harmful - - which I call harmful drugs. Now, I see people wondering around Yorkville because I go through there, and I hear comments from people, saying, "That kid really looks stoned, he must be on acid or something", and these drugs do - - do bring out harmful, dangerous and destructive tendencies in a person. We hear of cases in newspapers where people jump from sixth storey windows supposedly on acid.

I really can't see somebody jumping on acid. They may believe that they can fly, but this is not jumping. I can believe someone standing at a sixth storey window and being pulled down, like a swirling vortex, something that just pulls them, but jumping, no. It is just not that type of drug. Along the same line, I was concerned with the quality of these drugs that you get on the street. You may buy something which is supposedly acid, but on analysis it usually turns out to be, usually speed or a tranquillizer, bella donna, and strychnine. Any combination and any variable - in amount or quantity. But the main point is confusion and ignorance of the older generation in the - - of the dangerous effects of marihuana as opposed to other drugs and the problem of educating people so that public opinion, if such a motion is going to be presented in parliament, does not result in the chaos that it could.

THE PUBLIC: I don't profess to have any great knowledge about the use of drugs, but I do have a great interest in it, and my concern maybe goes much deeper, although here also - - my knowledge is very limited. My concern is with the - - what is it in society that is causing us to be a drug oriented society, and for me, marihuana is only one part of this drug orientation. An example: on the other night my girlfriend was listening to television while she was doing dishes. In one half-hour program there were five advertisements, four of them were for drugs. Now, none of these were for illegal

1 drugs, but all of them were for drugs. Some of
2 them are legitimate, aspirins may help headaches,
3 but it also may be a crutch to people who can't
4 react normally or rely on their normal body processes
5 to come back from wherever they find themselves.
6 Now, there are a variety of crutches too. I think
7 the people who concern themselves with the adverse
8 effect of drugs, whether it be marihuana or acid or
9 other drugs with which I am not familiar, can look
10 to other things and say, "Well, what about the adverse
11 effects"; what would you say about something that
12 people believe so strongly in, that they kill each
13 other, and they are still fighting now, and they
14 condemn each other because these people don't have pos-
15 tive beliefs and they strive to convert others to
16 doing to what they are doing, and asking what they
17 are asking, and initially, I suspect, there is a
18 reaction, but this is what religion is in part, and
19 I am not against religion, but for many people
20 religion is a crutch, but it is a legal one. It is
21 something they reach out for when they find themselves
22 in difficulty. Some kids reach out for pot when
23 they find themselves in a circumstance they can't
24 handle. Some kids reach out for it because they'd
25 just like to have a little trip, it is fun. But two
26 studies have been done with which I am familiar, and
27 you may have been presented with these statistics
28 now and I can't quote them all verbatim and I am
29 quoting from memory, but last year the Control of
30 Addiction Foundation of Ontario did a study in high

schools here of 6500 students and they came out with some interesting things. The preliminary report has been written up and the final one is coming - - in one of them was: the peak age for use of marihuana is in Grade 9. After that it starts to drop down again, but they stopped the research at Grade 13 so nobody knows what happens after. They have also come out with the statistic that seven times as many people use drugs once or twice as use them five times or more. So you see, in many cases kids are just out trying to do something. This is what it appears to be. And afterwards they get out of it. So what - - - . Other things that came out was: a growing demand amongst young people for the use of tranquillizers and other forms of legitimate drugs that they get most often from their parents and doctors, and I want to know what the hell is it in our society that gives an eleven or twelve year old migraine headaches, why is it that a fourteen year old kid can't sleep without tranquillizers? This is what I mean about becoming a drug oriented society. Other statistics came out and no one paid any attention and these statistics to a large extent were backed up by a survey that was done by the Control of Addiction Foundation in London: kids start smoking cigarettes at an early age and with cigarettes it climbs to about Grade 12, something like 44%, and it drops off afterwards, and then we don't know where it goes. But we know that people do die

from smoking cigarettes. If we don't do anything - - and I suppose it is because we have done it for so long that we find it so socially acceptable. And also, I do it, and somehow it therefore becomes more legitimate. Now, the use of alcohol; you find that starting in Grade 9, the consumption of alcohol - - and the consumption of alcohol is not criminal but it is illegal - - the consumption of alcohol under the age of twenty-one is about 44%. You have to excuse me, I'm not quite sure of the percentages around Grade 9, and this thing climbs until you get to Grade 13, and close to 80% of kids in Grade 13 are consuming alcohol. Ten percent of this alcohol apparently is consumed in cars. Well, you can imagine, you know what happens when a kid drives home, and we all know that there is a high degree of co-relation between driving offences and the consumption of alcohol, with a great deal of property damage and physical damage, but again, different attitudes. For example, one thing that just - - excuse me, pisses me off to no end, when I look into a newspaper and I see two columns; one column says: Drunken driver ran through intersection, killed a woman and, charged with criminal negligence, gets three months in jail. A university student or a kid twenty-one, I don't care whether he is going to university or not, found in possession of marihuana; good academic record, brilliant; I am thinking of (Barbara Budd) now. You may not know this case, but if you think Adleman is bad, go read

the (Budd) case: brilliant student, well on her way to becoming a good academic, with tremendous potential, first offence, six months in jail. Rationale? This is too big a thing, it has become too big a problem in our society so we must stamp it out. The presumption - - the presumption is that harsh sentences necessarily protect society and necessarily deter other people from using it. I am going to sit down soon and I don't want to take too much time.

THE CHAIRMAN: There's no rush.

THE PUBLIC: One of the most recent cases that I have come across in regards to sentencing considerations is the case of Regina vs. (Grandois) from the province of Quebec. I can't remember the name of the judge. There was a guilty plea on two counts of trafficking two $7 cubes of hash. The purchaser: a narcotics officer. The biggest issue was sentence. Grandois' history was Grade 5 education, 24 years old, no stable family background. The Judge looked at a variety of statistics, and I just want to point out one - - I don't have the case here and I can't remember the book, but he quoted from a book that was written by a man who worked with a lot of narcotic addicts at a hospital in New York State. This man said that, "It is my experience that 80% of the heroine addicts that I have dealt with had at one time used marihuana." Now this may very well be true, but the thing is, what the hell does he do

with that statistic? The next thing the Judge turned around and did, in deciding on sentence; he said, "It is known that 80% of marihuana users are going to become heroine addicts and at this stage it is getting out of hand, and we have to be tough." So he gave (Grandois) two years in jail. Now, listen, my criticism here - - I don't know that much about it and this is one of the things. I proceed on the whole premise that our legislators are wrong when they promulgate laws on the basis of ignorance and I think that's what they have done in this case. I think anyone who wants to legalize it is fighting - - and I don't like that word - de-criminalize is better, I think, but anyone who is trying to de-criminalize it is fighting an uphill battle because there is something holy about the law. If the law says it is a crime and it's bad, then most people think that it must be. Otherwise, why the hell would it be criminal? And you have to overcome this thing. On the other hand you have got people who say, "Well, it so obviously shouldn't be criminal and the rest of the law may be bad", and reference has been made to the disrespect into which the law may come.

My last point, going back to the (Grandois) thing, and I do ramble on, but I am a university professor and I'm paid to ramble on. Going back to some of the problems that face the court. I am not anti-cop, basically I am anti-authoritarian, but now that I have moved into the power structure, I am

1 changing my stance! When you leave these institutions
2 and start assuming your responsibilities as I have
3 to - - - . Anyway, going back to the case and the
4 problems that faced the Judge - - consciously or
5 unconsciously, you must have consideration of a variety
6 of things. There was a case in Toronto which was
7 criticized by the Ontario Court of Appeal; Regina v.
8 Hudson. It's a trafficking case as well. It was a man
9 who had come from a good home, a good middle-class home,
10 parents with good middle-class values, went to a nice
11 middle-class church, and did everything that you're
12 supposed to do, except carry on, and he became a hippy
13 and then he got caught trafficking. Well, the Judge
14 said, "Well, what are we going to do", and his concern
15 was, "what shall we do with this young fellow", and
16 maybe the Judge in the Grandois case was too - - but
17 the facts are this - - -. Now the Judge had the
18 opportunity to suspend the sentence because he had
19 a place to send the kid. Now, I don't necessarily
20 like all the conditions, because - - if you go back
21 and be like us, cut your hair and brush your teeth every
22 day and go to church, and live with your family, go
23 back to school, and I'll suspend your sentence - -. But
24 one of the inequities of the whole bloody system is,
25 where do you send a guy like Grandois, forgetting
26 about the law and going beyond, to what we are dealing
27 with right now. There is built into the system these
28 gross inequities. Grandois has got no place to go back
29 to, he came from no place so we send him to jail.
30 Hudson's got a place to go back to, let's send him

back and give him a suspended sentence. Well, that doesn't challenge the question of legality or illegality but it does point out, I think, part of the inequity of the whole system. That really isn't being dealt with and it goes much beyond your reference. I appreciate this. And it goes, I think, to the very roots of the administration of our justice and I am very concerned about that because I teach law, or I taught it. I think that is all for now. I may be back.

THE PUBLIC: I would like to say something - - continuing on the premise on which my predecessor so eloquently commented, the individual and isolated cases are much more relevant to our discussion, I think, and will make much more of an impression, hopefully, on the Committee. I would like to just very briefly to give one instance of an isolated case that I have encountered. I attended the trial about a year and a half ago of a young man in Ottawa who had been arrested on a charge of trafficking hashish. This young man had worked in Israel for a while, in the (ports). He was from an upper-middle class Ottawa family. He came back to Ottawa and brought with him, unfortunately, a sizable amount of hasish, which was subsequently discovered. He was arrested and tried. During the entire trial, this man was -- this man was nineteen, I think, at the time; had brought up on his behalf various character witnesses, people such as his teachers, his friends, friends of his parents, people who had known him since he was very

young, all testifying to the fact that he had never done anything that was really -- that was -- could be considered outside the law. He was an honour student, first year college student at Carleton, and basically what I suppose we might wish to call a model citizen, or a future model citizen. He was convicted on this charge and he was sentenced to two years plus a day. And the reason given for his conviction, by the Magistrate, had very little to do with the actual case in point. It was more of a fact that, "Well, let's make an example this time", and as has been stated before, that seems to be a recurring theme in the law courts of Canada. I left that court room feeling that, well, if this man has been made an example of, for whom was that example intended? It must be intended for me and people like me, and I in no way felt any desire to go out and be a law-abiding citizen as far as the marihuana laws were concerned, simply because I felt such a gross injustice had been carried out before my eyes. I think any of us who have any doubts about statistics need only to attend the trial of someone who is facing a marihuana charge or hashish charge to realize, in many cases, that our courts are sending to jail people who aren't hardened criminals or anything even close to that. Most of them have never even committed traffic offences. We are sending to jail people who will eventually be running our country. I think in terms of future investment, that it is a very poor attitude to take.

Thank you.

THE PUBLIC: I would rather not be photographed, thank you.

I don't want to speak directly to -- that marihuana should be legalized, because I think there is the hope of -- either that the present situation is just, or some sort of repression relative to it is simply (Neanderthal), but I think there are a lot of ways in which I can understand how -- what I say is that the (Neanderthal) position could be supported by people and can be supported by some people in good faith, because of the values some people have been taught. And it also does not mean that I think because it's (Neanderthal) it will all be changed, I suspect it won't. There are a lot of powerful things involved, including prejudice and including very powerful lobbies from liquor manufacturers and very powerful lobbies from cigarette manufacturers. So I think some of our problems are that. But I would like to speak though, and I think there is danger inherent in what some people have been saying in dealing very specifically with the marihuana issue, as unrelated to other things. And I would like to kind of point that out in this way: That for us in this university, generally fairly well-off kids, it is a very tolerant society and it is built to be tolerant towards us. We have a good deal of choice in consumer goods and a number of things. But there are quite a number of people towards whom society is not tolerant. It is not tolerant for

someone who is inarticulate, it's not tolerant for someone from a slum background, it's not tolerant for Indians, and the mental hospital situation is where -- I'm aware of quite a number of cases like this. Generally, there is a tolerance for us and there isn't tolerance for a great number of people. Now, what has happened with the marihuana issue is that in some ways, while it is a grossly unfair one, it's fair in the sense it puts us or puts either people who look like they smoke marihuana because they have long hair or people who are somehow involved in that youth-cult scene - puts us into a situation where middle-class kids start to feel some of the intolerance that is pretty basic to other people every day of their lives. Two Indians I knew -- or have known -- were stopped because they were driving a good looking car. The police just couldn't believe they had a good looking car. They were detained for three hours. And that happens all the time to Indians - but it doesn't happen to us. So that were we to get the marihuana laws changed and people can smoke marihuana, or even take LSD, which again, is a middle-class preoccupation, much more so than a working-class preoccupation, at least LSD is. In a way that removes us from the disaffected; and we can kind of safely go on, as this last chap said, to become the leaders of our country -- and I think there is a good deal of value in that we should be the leaders and that other people who are somehow less, they should be the followers.

OK. I want to connect that to one of the questions that you were asking about - - causality and why people take marihuana. There's not a heck of a lot we can say here in taking about that. But I think it might have something to do with the sort of "leadist" attitude that was just expressed, about "we're going to be the leaders" and about some of the things that this chap raised about authority - - "Well, I've become a professor now -- ", he said jocularly, "I have become a professor now and that puts me in a different relation to authority and power, and I kind of think it's good whereas I used to think it's bad" - - which we take as a job. Except, by and large, and I think you can look at this university and see how inhman and unfriendly relations are, how we're programmed for very specialized learning activities. Maybe one quick example of that: a seminar taught by a friend of mine in the second term had twelve people in it; my friend took over just after Christmas and found there were eleven, and asked, "What happened to the twelfth?" Well, nobody knew. "What was his name?" Nobody knew. So he went down a list and discovered in this seminar of twelve people who had met all year, no one knew each other's first names. It was "Mr. Johnson" and Mr. so and so - on one ever say each other outside the seminar. Nobody knew what happened to the guy who, it turned out, had had a nervous breakdown because he was alone. You got that sort of thing. You got, God knows, anything

pointed out in the Economic Council Report; about - there are kids in the Maritimes who are under-nourished, etc, etc., etc. So, one of the reasons why people might feel a need to get out of the current state of consciousness that is very prevalent in North American society and Canadian society, which is an offshoot of that -- well, I guess I'll lead this to something said by a psychiatrist, that it's a schizophrenic act to get up in the morning and read a newspaper about Vietnam and marmalade your toast; it's a schizophrenic act to get up in the winter and put on a fur coat and meanwhile be complaining about the slaughter of baby seals; just to read about it, and not do anything. So, I certainly hope that people won't take this as an isolated issue, but I expect people will.

THE CHAIRMAN: The lady -- may she be recognized -- at the back.

THE PUBLIC: I just wanted to say that I come from the other generation; and I think that a great deal of money is being spent on educating our young and perhaps some of it should be diverted to educating my age group, and we aren't considered impossible, we still have possibilities for learning, and perhaps if you approached the new change in society by changing us and giving us some interest in learning; I believe that our money is well spent on you kids. I believe we would be willing to listen if we had some understanding. But I think understanding in my generation is vastly needed and we are

1 running scared.

2 MR. CAMPBELL: A couple of people have
3 sent notes up and they happened to come this way,
4 and so I got them; but they have raised a rather
5 important issue. The Commission is extremely anxious
6 to have the widest possible range of opinions on this
7 matter. The last couple of days we have been
8 accused a couple of times of only hearing negative
9 positions about marihuana. Unfortunately, the people
10 who say that aren't, I expect, here or at the York
11 last night. But, in saying this, others have asked how can
12 they communicate with the Commission, and I would like
13 to make two points: one, the Commission as a Com-
14 mission, and the Commission's individuals, are
15 extremely anxious to have an opportunity to speak
16 with people who may not wish to speak in public; we
17 have the means of preserving their anonymity.
18 Another device that can always be used is simply
19 to write to the Commission, you can write to the
20 Commission anonymously; there's not need to put a
21 name on a letter. There's an address in Ottawa:
22 Vanier Building, Nepean Street, Ottawa, or just, I
23 expect, Mr. Chairman, address it to the Commission,
24 Ottawa. The Post Office is efficient enough that
25 it would slowly but eventually catch up with us.

26 But it will be extremely useful to us
27 to have this whole range of obtaining an honest
28 expression of opinion. The point made this morning
29 by people was that if we don't have, there will be
30 a vacuum in knowledge available to the Commission and

we must have your assistance.

THE PUBLIC: Excuse me, one of the things that seems to bother older people -- or not older people, but bother the majority, is that marihuana leads to terrible things, and you can say heroin, and you know, marihuana leads to bad things. Well, life seems to be, that - - well, why does an alcoholic drink, why is an alcoholic an alcoholic? Because he has problems; and the same situation, I think, can apply to a person using marihuana. Why do they need to go to better things, it is just "badder" things. It is just "human injustices". They have troubles and they can't get themselves together to go on and live in society, and that's the only reason that makes them go on to the hard stuff. The same reason with alcoholics - - they can't just take one drink, they have to go on drinking, and that's it. Thank you.

THE CHAIRMAN: Well, we have certainly had a - - - oh, excuse me, yes.

THE PUBLIC: Yes. I would like to make a point. One of the points in favour of the legalization is that with legalization there will be better opportunity for better use of the drug. Now, a lot of people who haven't tried marihuana wonder why people do it because they hear about freak-outs and all this. The reason is, there is so much possible benefit. Anything with a lot of benefit also has its bad side; the automobile which has killed millions of people, is accepted in society

1 because it fulfils a very useful function. Now,
2 say at the turn of the century, when the automobile
3 came in; and there was opposition to it from the
4 conservative element at that time. It was gradually
5 accepted and today, with increased safety factors,
6 we are beginning to be able to use it with greater
7 safety, we are getting more and more benefit from
8 automobiles.
9 Now, with marihuana, it is illegal --
10 if somebody wants to try it, he has very little
11 information. He could use, you know, indirect
12 methods and all this - - he will not get the fullest
13 possible benefits. You get freak-outs, and this
14 sort of thing. If it was legal, there would be
15 more opportunity to go -- let's say, learning to
16 drive. The automobile is a very dangerous machine.
17 You just don't get into a car, you go for a lesson;
18 you get your license. Now, I'm not proposing
19 licensing marihuana smokers, but I would propose --
20 they would have information available if they
21 wanted it, and especially, this applies a great
22 deal to the harder drugs. I know before I took
23 acid I studied a year on that topic and since then
24 I have taken it many times. It has helped me
25 tremendously. I've never had a freak-out, and
26 the entire group that I was associated with -
27 through control, through experiments; we did experi-
28 ment on our own because we had no information, we
29 sort of taught ourselves, and the outcome has been,
30 should I say a very -- a great circle of people who

have been helped tremendously. Now, I see potential for this in the legalization of marihuana. If the people have a chance to derive the benefits from this drug, if they have a chance that's legal, there is that much more benefit for the human race. And again, there is benefit, because people beyond thrill-seekers, they would not take the drug if it involved only evil, if it involved only freak-outs. There is a great deal of benefit to be derived and that is the reason for a lot of the experimentation, and I think ---

THE CHAIRMAN: Would you care to tell us what you think the benefit is?

THE PUBLIC: There is a great of saying, "Well, if you take marihuana you're escaping from reality". Well, I would claim much greater -- I think people that use tranquillizers and this sort of thing -- I've never taken a tranquillizer in my life - I wouldn't touch them -- people who take tranquillizers, smoke, drink; there is the element of pleasure in some of these, but there is also the element of escape, but I can't -- I also don't smoke or drink, I have quit both of them because I could not see any great benefit in them. There is one facet to marihuana, where it does reveal reality; a greater sense of the universe, or whatever you call it. This is--especially on the acid, people have such a tremendous vision that it is not simply an escape, it is something you can find when you have worked on a mathematical problem for a few hours and

you suddenly get the solution and the world is beautiful. This true work -- you can work through a drug in the same manner, with preparation, with experience, you can get fantastic benefits from it. Should I say, my mental state, my school work; everything has improved tremendously. Now, I don't -- it is not due to the drug itself, it's not just acid, it is the use of it. It is not just marihuana, it is the use of it, and through using these drugs, and studying, working, I have found a much better way of living. And, so, through the legalization -- you see acid, again, is a very strong drug, and I am hesitant to make it legal for just, you know, anyone who wants it. For now, we are discussing marihuana. In legalizing it, there would be a great deal of, say, more potential benefit for the society. You hear a lot about the evil aspects of it, drop-outs, people becoming hippies, and all of this. And there is, as I say, -- people are not always stupid. They do see something in the drug which makes it worthwhile for them to continue using it. Now, another thing that happens eventually is, -- in the same way as you take philosophies and Buddhism, or something like this, you go beyond the stage. In school you take certain subjects; you go beyond them, after that you're considered an educated man. The same way, I don't do too many drugs any more, because I've gone beyond them. They have taught the lesson, and there isn't so much need for them anymore. I mean, it's still fun to get stoned,

but there's a lot more to it. There is more to it than just fun. After you've learned the lesson, you have fun in virtually everything.

I guess that would be it.

THE PUBLIC: I would also like to express myself very briefly to the question of legalizing marihuana. I am not concerned with the other drugs. This is from an economic and a legal viewpoint. You have, the way I see it, a supply and demand for marihuana, and I think the Government is going at this problem in precisely the opposite way, or in the wrong way, because what they are trying to do is to negate the supply without first curing the demand. Now, there is a law on the books now that says marihuana is illegal, smoking and trafficking it is illegal. So the Government says, "This is the way it is, we're going to cut off the supply", but they are not doing anything about the demand so people are still going to get it. Now, if the Government believes that this is a good law, then I think they have to justify it. I have been reading a lot of magazines and it seems to me that there are more viewpoints in them on why marihuana should be legalized rather than why it should remain illegal. And,so, I would think that if the Government thinks it is a good law, they should (temporize) and stop the demand for it, not simply cut off the supply as that just doesn't work, and that's not a rational way of going about solving a problem. Now, if they cannot justify and tell people, and show people why

they shouldn't want marihuana, then I think you have a basis for the changing of the law, because if the Government can't justify to people why they shouldn't smoke it, and other people can justify why there are no harmful effects to it, then I think that if the Government maintains this law, they are creating a credibility gab, and people today will not simply accept the Government's saying, "This is the law, and this is the way it has to be". You have got to be able to justify these things to society today. So I see it is a problem of supply and demand, and I think that the Government is trying to solve the problem by starting at the wrong end, and if they can't justify it, then there is a basis for believing that the law should be changed.

THE PUBLIC: I'd like to say that, I think as far as the question of whether or not drugs should be made legal or not, then the question of supply and demand may be important, but I don't think it is really very important with respect to why people are using drugs, why we are getting to be such a drug oriented society. I would suggest that a lot of it has to do with just plain boredom. In the area where I live there is quite a problem with the kids in public school sniffing glue, and kids who go on after public school continue to sniff glue, for quite a while. Now, it seems typical of a lot of people, especially really young people in public school, that whenever they have free time -- well -- naturally, they are looking for something to

1 do, but they don't really have any -- there
2 aren't really any opportunities for any outlet.
3 They're kept in school for a certain amount of time,
4 in which they are generally bored. Afterwards they
5 go out and try to do something exciting to counteract
6 this great time of boredom. I think this thing
7 seems to continue on with people as they get older,
8 with television and stuff. Television is a pretty
9 universally used drug; it's something like an opiate,
10 it sort of dulls your mind and you just float along
11 with whatever you see on television because you are
12 bored and you're looking for something to sort of --
13 sort of fill your mind; keep your mind off the fact
14 that you can't find anything to do. The Commission
15 may be interested to know that I know quite a few
16 people around where I live who used to sniff glue,
17 or tried it, and gave it up after they were introduced,
18 by their friends, to marihuana or to acid or mescaline.
19 They no longer saw any value in sniffing glue and
20 the physical effects they did not like. As to the question of the
21 illegality of acid, and marihuana, it seems to me
22 that the dangers in purchasing this are far greater with acid
23 than just about any other drug you can think of
24 that is illegal because most people -- even those
25 who have used it quite a lot, often don't really
26 know what its effects are because they have never
27 had any real LSD. Somebody pointed out -- I think
28 there was a report in a few papers saying that fifty
29 percent of the samples confiscated by the police
30 during the summer turned out to have no LSD in them,

1 and a lot of people -- you can purchase acid for
2 $3.00 and that's the price for a record album.
3 People buy this, you know, this or records, I mean
4 it's something to do. It is -- the thing is, with
5 acid the way it is now, being illegal, I think it
6 is more dangerous than it would be if it were under
7 some sort of -- I really don't know what kind of
8 control you could have; you might have some sort
9 of thing that (Richard Albert) suggested -- a sort
10 of institute where people could take if if they
11 wanted to, or present a reason for taking it. But
12 the -- I do think it would be much safer to have it
13 under some sort of government control, whereby
14 people could take it without having to purchase it
15 on the street because you may end up getting strychnine
16 or speed or something, and I think a lot of people
17 have become amphetamine addicts or methedrine addicts
18 because they started with acid that had a lot of speed
19 in it and they wanted more of it, but they didn't
20 know why it was -- perhaps did not know that they
21 were getting addicted to methedrine because it was
22 not -- it was neither pure methedrine nor pure LSD.
23 It was -- it isn't really possible for them to know
24 really what is was that they were getting addicted to.
25 THE CHAIRMAN: Thank you.
26 THE PUBLIC: Well, I don't -- I am
27 going to have to say I think I'm going to be a little
28 outside of what you are looking for perhaps, I am
29 not sure -- I have spent two years out of Canada,
30 I just got back, and I was pleasantly surprised to

1 find out how people are concerned about problems
2 like this, but I might tell you about the experiences
3 I had in regard to this problem. The two years
4 I spent, for the most part, in Kenya, where the
5 smoking of grass is, I think, illegal, but I don't
6 know -- but nonetheless, it is certainly widely used.
7 The Kenyan government, the Kenyan legal system,
8 doesn't have the energy or the time to spare for
9 the policing of the use of the drug. It is concerned
10 with what is known as the problem of the development
11 of the country. But here in Canada where we have
12 solved a lot of our problems materially, people
13 seem to be substituting -- instead of these material
14 goals in each individual's mind, those of social
15 control. That's what the laws of marihuana seem
16 to me to be about. The other part of my experience
17 in drugs -- the use of drugs: this was in Nepal,
18 a little country between India and China, which is
19 known, believe it or not, as the hippie capital of
20 the world for several reasons. It is a cheap place
21 to live, pleasant climate, and people don't worry
22 about things very much. And pot is supposed to be
23 the cheapest and the best in the world, and there
24 are hundreds of hippies there. Most of these people
25 that I met there were quite ordinary people except
26 they didn't know where the hell they were going.
27 They wanted to drop out of the world for a while
28 and one of the way that they thought they could drop
29 out was to come to (pot use). And they did drop out;
30 they went right out of sight, for weeks and weeks.

1 That's no laugh.

2 The point is, that I met some of
3 them too, you know, who suddenly woke up one morning
4 and said, "What the hell am I doing here. What's
5 this going?" And they moved on and went somewhere
6 else. They didn't know the answer and most of them
7 moved on because they didn't think the answer was
8 here, and they didn't know where to find the answer.
9 Let me tell you of a personal incident with one guy.
10 He was a Swiss, a mechanic, a precision mechanic;
11 a watchmaker, I guess, being a Swiss. He was a nice
12 guy. For about six months in India and Indonesia
13 he tried every drug he could lay his hands on.
14 Now this would be mostly hash and several other,
15 sort of natural drugs. They wouldn't be the techno-
16 logically derived drugs like speed, which I know
17 nothing about. Fox six months he was -- he tried
18 everything and one morning had had this experience.
19 He just sort of woke up and said, "This is pointless".
20 When I met him he was on the next stage -- still
21 didn't know where he was going, didn't want to go
22 back to Switzerland and become a precision mechanic.
23 The thought discourage him. So what he decided to
24 try next was religion, and so he was trying all
25 of the nearest churches and he wasn't getting much
26 satisfaction. I wish him luck, he was a nice guy.
27 But, I don't know where his search is going to take
28 him. But wherever it does - in a modern phrase -
29 it's his bag. OK. I have written some of these
30 things down. They're not very relevant, as I said,

to the Canadian situation. But there are two points that I kind of feel -- that might be relative to the Canadian situation. Let me just read it so I get the way I want to say it: "Countries with proverty and suffering in them don't get excited about the use of marihuana. The main issues of development facing these countries are so immense that no resources to social tinkering can be spared. Is it true that affluence can be substituting a myriad of social laws when the rigorous environmental constraints are relaxed?" In other words, do we in Canada have to feel that we substitute controls regardless of where they come from? If so, is permissive society an end? The question that goes with this in my mind, especially, is, I wonder where the tobacco industry would be today if tobacco was discovered five years ago? Now, this has been asked before, I am sure. The second point; we Canadians are fooling ourselves with the drug issue and morality more than anyone else. Some twentieth century cultures and societies tolerate mood changing drugs. In our society, Canadian society, brightness seems to be the order of the day, as far as I can see. -- No pictures please. I know you have to make a living, but not on my face. OK?

In our society brightness seems to be the order of the day. The question should be I think, "Does pot harm our society?" And the second question; this is important, "Does pot mentally or physically harm our individuals?" The / answer to

one is the same as the answer to the other. I really wonder in relation to this second one, why civilization that puts men on the moon can't seem to really face up to physically -- evaluating the physical effect of drugs. We really don't know what marihuana does to people. We hear all sorts of conflicting opinions. OK, ladies and gentlemen, thank you.

THE PUBLIC: I would like to offer an example of social benefit of marihuana. Dean Campbell (was given a note ) yesterday which was related (and it even said, that it was thought) that English speaking Quebe youth said they used to go out and beat up French speaking Quebec youth and now they were smoking marihuana together and they don't want to beat each other up.

THE PUBLIC: I would like to say that I like the idea of the Commission taking our views. After all, we do have a just society. There is no racial discrimination. There is no "war in Vietnam". At the risk of sounding irate, I would like to say -- or I would like to ask the Commission to do a little soul-searching within themselves, and ask themselves when these laws were brought into effect, and whether they should still apply. And that's all I have.

THE PUBLIC: Well, first of all I would like to express my sincere sympathy for the Commission for the long task of listening to these arguments which will surely become repetitive and

tedious by the end of your hearings. I hope your Commission's report fares a lot better than other Commissions have fared, that have gone to Parliament. Now, I would like to point out, what must be for the millionth time, that it's very necessary that a distinction be drawn between drug use and drug abuse. I think the history of mankind is riddled with examples of wretched excess. I know people who are obsessed with sex; I know people who are obsessed with food; I know people who are obsessed with making money, and I know many foolish people who are obsessed with the use of drugs. The fact that there are people who are ruining their brains and riddling them with drugs of unproven quality does not in the least affect the use of drugs by people who are using them intelligently for pleasure and in moderation, and any evidence which comes before this Commission, which is directed at those people who are abusing drugs to a ridiculous extent, should be just discounted completely because it really doesn't relate to the use of drugs in a normal way, per se. This is like barring sexual intercourse because there are perverts, barring eating because there are gluttons. This makes no sense at all. I would like to say also, that I will be a practicing lawyer next year and I am very much concerned by the fact that the present illegal state of marihuana and hashish; I am confining myself to those two drugs, has, in my opinion, over the last six of seven years that I have known people who have been using these drugs, made a complete mockery of the law in their eyes.

I want to be proud of my profession and I find that I am in an indefensible position when I am amongst people who are skeptical of lawyers, skeptical of law reform, and skeptical of the law, when they ask me, 'Why haven't the marihuana and hashish laws been changed?' I have read the United Nations reports. I think I have read almost all the information I could possibly garner and I know very well there is not one legitimate argument against legalization of marihuana or hashish. And I would be very gratified indeed if these laws were stricken from the lawbooks so that people will not become anti-legal; will not become adverse to the legal profession; will not lose the respect for the law which is so important to this country, because of the fact we have allowed to stand on the lawbooks laws which are being consciously ignored by most of the middle-class people that I know. I have attended university in Manitoba; I have attended it here; All my friends, for better or for worse, seem to be middle-class people - dentists, doctors, lawyers; and it seems to me that I have not met anybody who seriously entertains any legitimate reason for keeping marihuana or hashish illegal in Canada. And, I thank you, Mr. Commissioner.

THE PUBLIC: I haven't been following the proceedings of the Commission all the way through so I don't know -- perhaps I may be repeating something that has been said before to you. But I would just like to direct your attention to one aspect of this

1 problem, which, I think, seems to be largely over-
2 looked.
3 The majority of the argument or
4 discussion here seems to be based on trying to
5 convince the Commission that the problems of marihuana
6 and hashish, and perhaps other drugs too, are not
7 quite as big as they seem to be. Some people would
8 even go so far as saying the problems with marihuana
9 don't exist at all. The danger of this seems to me
10 to be that, if when you have assessed all this
11 information which has been put before you, you decide
12 that the laws should be abolished, there will be a
13 certain body of people who will assume that therefore
14 there is no problem. The point I wish to make is
15 that whether there is a problem or not with marihuana;
16 a social problem, medical problem, whatever kind of
17 problem you choose to find, it does not automatically
18 follow that these laws should remain on the statute
19 books, and the request I would wish to make to the
20 Commission is that when you have all this information
21 before you, you should then turn your minds to what
22 is to me, as a lawyer, a more fundamental question.
23 As to the question of if there is a problem; a social
24 problem with these drugs, is the criminal law the
25 proper instrument with which to deal with this
26 problem? That is to say, are there other methods
27 perhaps more efficacious of tackling this problem
28 without attaching all the very serious implications
29 which criminal prosecutions involve. It has been
30 represented in some quarters that if constitutional

authority had wished to creat a drug problem in North America, they could not have done it more efficiently than they have in passing the laws which we currently have on the statute books.

The only question I wish to raise then is that I would like to see the Commission search very deeply in their minds as to the purposes and functions of the criminal law and as to whether these functions, these purposes, are even relevant to the solution of the drug problem, if there is one in this country.

THE PUBLIC: I would like to say that I believe that the drugs in use now should be made legal because society, I feel, isn't capable enough to cope with the problems they provide. I can't even imagine what would happen -- I guess like -- there are law professors talking about the crutch. It's like taking the crutch off a person, when a better solution would be to change the crutch to a cane or something, and sort of slowly -- I think it would slowly evolve. But the fact is, marihuana and hash -- I really don't know that much about them -- aren't necessities, you don't need them, and everybody has this tremendous fanatical thinking about getting it -- you have got to get it -- you have got to control it, legislate it: Liquor Control Board, Marihuana Control Board; it's ridiculous. People who want it can get it and Britain has the right idea with taking known narcotics addicts and giving them prescriptions. This solves the problem because then the Syndicate

1 doesn't get involved in it and the crime rate
2 doesn't go up. But, in the United States, and
3 Canada would seem to follow the United States; is
4 very unstable in its law and order. The law is
5 very unorderly. Like it is very negative. They
6 want criminals. They want to fill their jails.
7 They don't want -- they're not concerned with
8 helping the individual, and to help the individual
9 other than -- they want to build a sort of mask
10 over the whole situation, and have the cops sort of
11 guarding it, and also provide a sense of security
12 for society so they can sit back in their homes and
13 think the whole situation is under their hands, and
14 this is the sort of false sense of security which is
15 brought through the news media, which is a good
16 indication of the whole situation.
17 THE CHAIRMAN: I believe now, that
18 I must conclude the meeting. It was scheduled to
19 run until 1:30 and we have run a little beyond that,
20 watching your clock here. But I would like to say,
21 first of all, how very much we appreciate the
22 preparations, and the reception here, and the attend-
23 ance and the very helpful participation and contribution,
24 and the general atmosphere that has been created today
25 on the whole discussion. We are going back at 2:30
26 this afternoon to St. Lawrence Hall. Tonight we will
27 be at the Penny Farthing and we will be, all day
28 tomorrow, back at St. Lawrence Hall, and anyone who
29 can come over and assist us in our hearings, at anyone
30 of these other places, would be most welcome. We would

like to have you join us on these other questions, that we have had a chance to hear you on today.

--- Upon adjourning.

# COMMISSION OF INQUIRY INTO THE NON-MEDICAL USE OF DRUGS

# COMMISSION D'ENQUETE SUR L'USAGE DES DROGUES A DES FINS NON MEDICALES

October 18, 1969
St. Lawrence Hall
TORONTO, Ontario

B. PROUSE
REPORTING SERVICES

COMMISSION OF INQUIRY
INTO THE
NON-MEDICAL USE OF DRUGS

COMMISSION D'ENQUETE
SUR L'USAGE DES DROGUES
A DES FINS NON MEDICALES

BEFORE:

| | |
|---|---|
| Gerald LeDain, | Chairman, |
| Ian Campbell, | Member, |
| J. Peter Stein, | Member, |
| H. E. Lehmann, M.D., | Member, |
| James J. Moore, | Executive Secretary, |
| Marie-Andre Bertrand, | Member. |

COUNSEL:

| | |
|---|---|
| J. Bowlby, Q.C., | Counsel for the Commission |

RESEARCH:

Dr. Ralph Miller,

Miss Margaret Aboud.

SECRETARY TO THE CHAIRMAN:

Vivian Luscombe.

October 18, 1969
St. Lawrence Hall
TORONTO, Ontario

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Toronto, Ontario
Saturday, October 18, 1969

---Upon commencing at 10:10 a.m.

THE CHAIRMAN: Ladies and gentlemen, we shall now resume our hearing. I welcome you all here today and thank you all for coming out.

I would just like to remind you of our terms of reference. We were appointed at the end of May as an independent Commission of Inquiry to look into the factors underlying, or relating to the non-medical use of drugs, and in particular we are asked to look at the extent of non-medical drug use in Canada, patterns of the use, the ages, age groups involved, occupational background, that sort of thing, and the relationship to the different drugs, movement from one drug to another. We are asked to look at the effects of the drugs -- to look at what there is in the way of reliable medical knowledge and the effects, physical and psychological, and on behaviour, and then on third parties in society generally. And finally, and perhaps most importantly, we think, we are asked to look into the meaning of the drug use phenomenon in Canada today; what are the reasons for it; what are the personal reasons, the personal motivation? Also, what are the other factors which have contributed to it, the social factors, the nature of life today, relationships between human beings in our society, relations between parents and children,

the way that young people see the future, or don't see it, the stresses that our society is imposing on us and our responses to these - all of these factors. We are asked to try to find the meaning of this in our time, and my own feeling is at this stage that this may be the major expectation for us; this may be what the government had chiefly in mind in appointing the Inquiry, because, quite frankly, we hope we will be able to contribute something to the knowledge of the pattern, the extent and pattern of drug use but this is a difficult thing to reduce to statistical proportions and it is changing very rapidly.

We have already had impressed upon us what we might call the obsolescence, rapid obsolescence of scientific knowledge in this field, that is to say, social scientific knowledge and, as well as, perhaps, for that matter, some medical knowledge.

As for effects, in the little -- in the time that has been allotted to us, two years, where we are expected to make an interim report in six months, which is towards the end of this year, we do not expect to be able to contribute much in the way of much experimental knowledge, that is to say, we just don't have the time and resources to carry out significant scientific study. We may be able to do a little bit, but I think the best we will be able to do is make a critical evaluation of the medical existing knowledge and try to contribute to a wide understanding of what there

is in the way of a reliable and acceptable knowledge here.

But we have reason to feel that we can and ought to be able to make a contribution to a better understanding of the underlying factors, the meaning and what is mentioned in our terms of reference is the problem of communication. And so, we have conceived of our function as not simply investigative, not simply to go out and find facts on the Q.T. and to keep the Canadian people waiting for two years until we come forward with what we think we have discovered. We feel we have an educational function and we feel that our terms of reference have laid an educational role, in part, on us. We are asked to explore the problems of communication; well, I think we can't wait two years and say we discovered there is a problem of communication, so we quite frankly feel that while we are going about our inquiry, we have to try to generate as much public discussion as we can. We want to involve the Canadian people in the discussion, consideration of this, and we hope that our inquiry can be a means of increasing understanding of this and increasing communication among the various groups involved. And we feel that this is feasible and right also because it is not simply a scientific matter. We are impressed by that fact.

It is not a matter just for experts. It is a very broad social question in which everyone has views, or should, and has a duty to help us

with their feelings, because at the end of the day, the questions that are involved are profoundly human questions for which we all have to accept responsibility:

What is the proper role of the criminal law in relation to the conduct?

What is the relationship between law and morality?

These are profound, human questions. What is the role of education in relation to a problem of which you may have some fear? Are we to trust ourselves to education? Are we to recoil from education because of the fear that it may create an unhealthy interest or curiosity? Are we to rely, or to try to rely on ignorance, or are we to trust ourselves to good knowledge? And finally, this whole question of motivation underlying this thing is also one in which we all have to have use.

So we seek the views of as many Canadians as possible and we have reserved today for general discussion. We have had a good deal in the last two days. We have heard some very interesting views expressed to us, we have learned a good deal. You, I think perhaps I can assume, have been following the accounts in the papers and on the other media, to some extent, but if you would permit me just a few more minutes of introduction by way of background, I would tell you something of our impressions at this time, that is to say, the issues that have come out, as we see it.

I think that one of the most serious and important questions before us is, undoubtedly, the contention that the introduction via cannabis -- that is marijuana or hash -- to mood modifying drugs, creates some kind of a vulnerability or exposure or predisposition to the progression to other, more serious and more harmful mood modifying drugs. Including ultimately, perhaps, in some cases what seems to be the most feared of all, and that is, of course, heroin addiction. This is a contention that is made seriously, I think, and conscientiously by those who view the responsibility for enforcement of the laws. The evidence on which they base it has to be evaluated very carefully by us, of course, and we have heard strong statements to the contrary and critical evaluation already of the alleged evidence, and arguments, but I don't hide the fact that we consider this one of the most important contentions, or hypotheses that we have to investigate, because there is a strong demand apparently emerging for -- we don't know how representative it is, we don't know what this full weight is, socially or politically, we have to tend to take -- there is a strong demand, apparently, emerging for the legalization of marijuana, for reasons which you have seen some echo of in the paper and I don't want to anticipate the discussion today and say what others may say. But this is based perhaps, to some extent, on the assumption that marijuana can be treated separately, and there are, as I say, others who say it cannot in a total focus, and so/ that

1 is one thing that has impressed us as an issue.
2 The second thing that has impressed
3 us very much is the rapid increase in the use of
4 speed and its danger. The testimony on speed
5 has been almost as uniform in the other direction
6 as the testimony in certain quarters on marijuana;
7 that is to say, we have heard - I don't know - we
8 haven't heard anyone who has had a good thing to
9 say for speed and, indeed, we have heard young
10 people tell us, in effect, that there should be
11 a crackdown on speed. How to control speed? and
12 This leads us to another thing that we have heard
13 that impressed us deeply.
14 We have been told that this thing
15 has become so technical as in drug manufacture, that
16 the proliferation is so great and so rapid, new
17 drugs coming on the market that can be made by
18 anybody, that the law - there may be little effect
19 on the role for law here.
20 Mr. Bill Clements suggested the
21 law was irrelevant on this subject. In other words,
22 we could not devise a scheme of regulation that
23 could assure us effective quality and control and
24 control to access. So this is the thing that is
25 impressing us, how to control a thing like speed,
26 where are the sources and what is the relationship
27 of this to medical prescription and so on.
28 And finally, I will conclude my
29 introduction with this, and perhaps this is the
30 most - I would like to think it is perhaps the most

relevant thing for this morning for the audience that we hope to have this morning - we have heard impassioned statements, impassioned statements from young people to the effect that they are reacting to a society, and particularly in many cases, to a home environment in which they find hostility. They do not find the love they seek, they do not find the understanding and support they seek and they are seeking to build their own community of goodwill and love among themselves at considerable risk to themselves, and we have heard these impassioned statements. We have heard the impassioned statements that they do not find support from the major institutions of our society, from the law, from medicine and from others; not helpful, reliable information, not goodwill and treatment and support, but they find - they are finding rejection and hostility, and at times worse. They are laying a very heavy challenge at our feet and we are impressed with our responsibility.

What seems to be emerging here is that we all seem to have responsibility for this and we should search our own individual opportunity.

So, with that, I invite discussion. We have some people present who would like to address us and I think we have no fixed schedule for that. I would like us to just have a general discussion and then, from time to time, I may call upon these people. I would just like to recognize them now. Most of them know that I know they are

here and I should like to recognize Mrs. Rork, President of the Canadian Federation of Home and School and Parent Teachers Association, who has helped to encourage attendance by her organization today. The Ontario Federation - that is a branch - the Ontario Federation of Home and School Association members are here today. Mrs. Priddle is President, and Mrs. Kucharsky from Montreal is a Family Life Chairman of the National Federation and the person most knowledgeable in the organization now on the drug use, Mr. Arthur Whealey, a Toronto barrister, who is going to speak to us, Mr. Peter Oomen, news director of station CHOO, and Miss Phyllis Haslam, Executive Director of the Elizabeth Fry Society, and Mr. Jeffrey Samuels, a law student and one or two others here, and, of course, anyone else who wishes to, may do so.

Excuse me for these rather extended remarks, but I felt, for some of you who have not been able to follow so closely what has been happening the previous two days, it may be some help in our discussion.

It is all yours. We are here for the balance of the day.

THE PUBLIC: One of the interesting things, in reading about this problem lately, was a report based on the evidence of U.S. Army doctors in Vietnam, that there were certain pathological and certain harmful effects of hashish, or from marijuana in Vietnam, and it was twice as strong, or

a factor - or related to stronger stuff on the North American Continent, and I wonder if there are any medical people here who would comment on that, or refute it, or speak to it, and this probably might give some people who are for control of it medically, some arguments, I suppose, that if it were controlled, as far as its manufacture and sale, were concerned, in that case it would be safe, so-called, from a medical point of view. I just wonder whether it is worthwhile exploring this. Maybe somebody can lay that one to rest, or at least a possibility to get some discussion on this?

THE CHAIRMAN: Dr. Lehman?

DR. LEHMAN: The observations you are referring to are probably papers published recently in the Psychiatric Journal to the effect that soldiers, and the great majority of American soldiers in Vietnam do take marijuana - smoke marijuana, or grass, or smoke hashish, that they compare the fighting capacity of the soldiers who regularly take a great - quite a considerable amount of marijuana, versus the fighting ability of those who do not take it, that they found that the stamina was greater than those who do not take it. In other words, those soldiers who regularly smoked grass or hashish, were less energetic, had less stamina, had more often battle fatigue - were less stable in general.

Now, that, of course, is an important bit of evidence, because there are large

1 masses of fairly well-screened people, those in the
2 army are already screened for stability of
3 personality, therefore we know that these are people
4 of normal education, normal intelligence and
5 normal mental and emotional stability, and if, then,
6 in such a sample one finds that there is this
7 difference, that those who regularly smoke are
8 less stable than others or have less fighting
9 capacity, well, that has to be considered.
10 One still, of course, is by no
11 means sure that -- or can be sure that there isn't still a selection of
12 the sample to the effect that those who even
13 in all the soldiers, even if they have a certain
14 amount of mental stability to start with, there
15 are some who are less stable than others, and those
16 are probably the ones who would require, in
17 order to steady them under very stressful conditions in Vietnam, would be the ones who would
18 go for hashish and drugs. So one doesn't know wheth-
19 er it simply shows that those who are less stable
20 and less able to resist stress, are the ones who
21 would be the first ones to go to marijuana, or
22 whether one can show that those who smoke marijuana
23 will be impaired in their ability to cope with
24 stress.
25 It is a bit of evidence, but the
26 interpretation of it is not clear. The other
27 thing is that we will have to keep in mind, and
28 this probably wasn't brought out strongly enough
29 in the hearing so far, that there is such a
30 thing that one might call use of marijuana or

caanabis and abuse. There is frequent mention made of the abuse of tranquillizers and speed and how terrible that is, and nobody really ever mentions the possible abuse of cannabis and that it is definitely established that if people smoke, let us say, 5, 6, 10 cigarettes of grass in one evening, they are badly stoned, and they are confused and they are in no condition to drive a car and they may commit crimes, they are just in a toxic, half delirious state.

Now, the people who use grass regularly say, "Yes, but who would do this? Of course, there are the exceptions". Well, sure, the same is true for alcohol. Not everyone drinks an awful lot, and this is - the same is true for speed, because speed taken in normal medical amounts is perfectly harmless. If one takes 5 or 10 milligrams of dexadrene once every two days, nobody is going to be harmed by it, but if one takes 50 or 100 milligrams and shoots it directly into the vein every day, well, they will soon be wrecks.

So the possibility and the probability that cannabis can be abused, and possibly is abused by the soldiers in Vietnam who have a lot of access to it, this possibility of abuse of cannabis will have to be condidered.

THE PUBLIC: Thank you very much.

THE PUBLIC: Mr. Chairman, when I was last speaking here, my brief was being prepared ---

THE CHAIRMAN: Could you speak a little more closely to the microphone, please?

THE PUBLIC: My object is not to

convince the Commission, because the Commission knows, probably, everything that I am going to say: It is simply to put another point of view against the many I heard yesterday and to what I have read in the paper about this Commission, and before today.

Now, basically, I would say this: I proceed on the assumption that the state has a right, and a duty, in fact, to protect its young. By this, when I say "the state", in this particular instance, I would primarily refer to the state as a representative of parents who want to protect their children. This is, in this context, my only concern. I am not in the least concerned what those people who were here yesterday from Rochdale, want to do with themselves, what people over 25, or over 21, want to do with themselves. They are old enough, if they want to jump collectively into Lake Ontario, and this is their privilege. A most radical state is being challenged by civil libertarians, I would say almost be professional civil libertarians who would say that the individual's right concerns trafficing in marijuana or trafficing its use, is greater than the right of parents to have their children protected in some way - I don't agree with this.

Much has been said about the effects, in particular now of marijuana, because the bad effects of heroin and of speed, and of LSD, have

scarcely been challenged. Much is considered about marijuana, as such, and in fact, most people who have spoken and have asked for its legalization, base their evidence on what they say is inconclusive evidence, that it does have.

Now, I am not a medical man and I am not a scientist who is concerned with this particular thing, but I would just like to read out a short little thing here. There is Mrs. Spence, who is quoted here in the Globe and Mail, who is the Superintendent of the female penitentiary of the most modern kind, that has recently been set up in British Columbia, I believe, and she says:

> "There is evidence that it can create a state of drug dependence (habituation rather than addiction), a psychic dependence on account of the desired effects. Some columnists and TV people down East are ignoramuses when they advise legalizing it. We call them the drug-column dependents. In my observation 100 per cent of drug addicts started on marijuana - 100 per cent, I repeat."

In the current issue of Canadian Welfare, Dr. Conrad J. Schwartz, consultant psychiatrist, University of British Columbia, is quoted:

> "Until more research is done on marijuana, young people will have to

(Page 13a. follows)

be made aware that although we do not have all the answers, neither do they.

In our present state of ignorance about its chemical composition, dosage range, short and long term psychological and physical effects, it would be foolish to legalize it."

So much for that. There is other evidence which I believe is rarely taken into account. I happen to have a personal experience, as I have lived in many countries, of conditions of the

Page 14 follows.

1 attitude of people who do take marijuana, hashish,
2 as we call it in this particular part - dagge
3 They are all the same thing, derivitive cannabis.
4 I am speaking in particular of the Cape Province
5 of South Africa, where so-called Cape Coloureds
6 have for 150 years or over, in fact, since they
7 have been there, have taken dagge, marijuana
8 habitually. Now anyone who is able will know
9 that they are far less, in fact, not at all
10 inclined to object to the white man's oppression,
11 although it has affected them just as much as
12 it has affected the black, the Negroes. The reason,
13 I believe, is that they are conditioned by this
14 habitual drug use, to take thing easy and if you
15 give them an order, they will unquestionably take
16 it. The Blacks do not take marijuana. If you
17 push them, they will push back, although they may
18 know they will lose, but they will push back.
19 Now, this is some example in the mass.
20 Another example is that in South
21 America where marijuana is, of course, indigenous,
22 it has been used for a long time, to this day the
23 peasants have not revolted, never. They have been
24 conditioned by the use of this drug, I would say,
25 to take things as they are.
26 Another region that I happen to
27 know is the Middle East, and some of the other
28 countries. Now, if you know recent history, there
29 have been wars between Israel and the Arabs,
30 Israelis do not take any of these drugs. It is

1 known that Arabs do and have, for a long time, taken
2 them. In battle it seems, as mentioned just
3 earlier by Dr. Lehman, the results have shown
4 themselves. In fact, I believe that this is a
5 little relevant: President Nassar, who had been
6 captured by a man who is now Vice-Premier of
7 Israel, had long talks and one of the things that
8 he had made up his mind about, as General Lang
9 said, was that if he can stamp out the use of
10 hashish in Egypt. Well, he has not succeeded
11 so far and some people say that one of the secret
12 weapons of Israel is that they haven't prevented
13 the smuggling of hashish into Egypt.
14 Now, this is about its effect on
15 the mass, I think that is enough about this.
16 The Rochdale spokesman, if I would
17 consider him to be the spokesman of all of the lay-advocates of
18 the legalization of marijuana, has said, and I
19 would say with the sincerity of a cigarette
20 lobbyist, who tries to prevent any cut-back with
21 the use of smoking, that it hasn't been proven.
22 What they do not say is that, I imagine, ideologically,
23 are both in particular.
24 Chairman Mao, as I suppose you have
25 observed, has most severely suppressed when he
26 started out - you can read that in his books - when
27 he started out on his long march, the use of any
28 drugs which, in China of course, is also widespread
29 - and this, of course, is a basic thing. We have
30 to purify our people, and, that's why he prevented

this and therefore, the advocates of Chairman Mao if they were in China and do what they do here, they would very quickly be put in their places.

Incidentally, a recent - but let me come back to this - a recent study seems to show that one needs progressively less marijuana to get, the term is "high", I believe, and this indicates, at least to some, that the reason for this being a build-up of effect in the brain.

Now, it has been said that the use of marijuana, or any of these drugs, is its need in today's society. I personally believe that this need is still artificially stimulated. It may well be that young chaps, or young girls are deprived of their parents' love and affection. Well, I believe it has happened before, this-- our time -- and this was not enough reason to go to drugs or the use of them. I believe the basic reason for it today, that where drug use is most prevelant, and that is in North America, in Europe, in Sweden, and in particular, society has reached a state of affluence where young people do get so much from their parents that they have so little actual challenge until after they are supposed to have left school and university, that they need something to go and get a kick out of. Now, there is no need for this in poor countries. I am not speaking of the very, very poor countries, but you find, for instance - this is my personal observation - very little, in fact, nothing at all

of it in Israel, except - this is interesting if you read this sort of newspaper reports - when anyone who is charged with possession or trafficking - not anyone but I believe 80 or 90 per cent of them are Americans who went there because they were sort of, in some way, failures in the States - went to Israel and brought the habit along with them and tried to sway them.

Now, somebody said here yesterday, a Rochdale representative, that without marijuana, for instance, he could not function, he needs the drug to function, to find friendship and commaradary, well, I think it is a very poor sort of substitute for the real thing, if this is what he needs. There must be something basically wrong in himself, rather than in young people in general, to do this.

Now, the question is: What remedies ought to be taken to what, in my opinion, is necessary to curb this? To begin with I would say that people over 20 are welcome to use whatever drugs they want to. If drugs are found in their possession, not beyond their immediate personal needs, I would not like to see them prosecuted and put into court and into jail. I believe, however, that it is absolutely necessary to very severely punish, because I believe this is the only way of preventing them from continuing, those who traffic in drugs.

Now, there are some - we heard them

here yesterday, Rochdale people, who said that speed is a terrible thing and they tried their best, they call the police, they said, if they find anybody using it. Now, if they admit that taking, bringing in the law to prevent one particular drug, it is simply a question, then: Is some other drug sufficiently dangerous to bringing the law there? They have no longer a philosophical dependent justification for saying "You can't interfere with the individual's right to use marijuana".

I would, therefore, say that to advocate the use of marijuana should be just as severely punished as the advocacy of sedition, for instance, which also does not mean that one hits somebody else on one's head, but to preach it is a criminal offence against society. And since I believe to advocate the use of drugs, this same punishment should be - sanction of the law, should be invoked.

What effect the advocacy can have, or how it operates is shown in a piece of, a part of Varsity, a publication of the University of Toronto, which I handed to the Chairman. There a man by the name of Al Kamin has had an article published, a two-paged article, in which he advocates the use of LSD and this article of his has prompted (Mrs. Zena Cherry), who is a columnist in the Globe and Mail , a sensible and articulate woman, by the way, to say this - incidentally, his article starts like this: "Al Kamin

1 has the truth: Here below is
2 his Guide to the Spiritual Use of
3 LSD."
4 - two-paged, full spread. She writes:
5 "I read it. I read it again. After
6 the third time, still horrified.
7 I wondered if perhaps I was so
8 square I didn't know if it was satire.
9 I asked several others to read it. No,
10 it's not a satire."
11 Now, I quote, I will not keep you
12 for very long, this is Mr. Kamin:
13 "The ability to ride out those
14 moments of profound terror and con-
15 fusion . . . (that is after taking
16 LSD) . . . without running for the
17 asylum treatment, is necessary. The discipline
18 of ecstasy demands that you be fussy,
19 that you raise your sights high,
20 that you don't settle for second best
21 chance because there's no substitute
22 for the real thing.
23 Don't take LSD unless you are
24 prepared to go through hell to get
25 to heaven because that's the route
26 you have to take to get there."
27 This articles goes on:
28 "It advises that the natural way
29 to take LSD is with a member of
30 the opposite sex - one of the great

goals should be the expansion of your lovemaking capabilities. Directions are given as to what books to read; what records to play; how much LSD to take. The final sentences are: 'Still, LSD can work for you if you stick with it. Be humble in success and persevering in adversity. Be with God and God will be with you."

Now, this is Al Kamin and this is in Varsity, which goes to every university student here in Toronto, and this was put in by Mike Ignatieff, the son of the very well-known man, but very insolent pup, I would say; . . . he didn't answer a telephone call from Mrs. Cherry. This is the sort of thing that is being spread. I believe -- I mention here that as soon as I read this thing, the same day, I wrote a little answer to this. It wasn't sort of a literary masterpiece but the Editor of Varsity thought he would put it in and Ignatieff refused to have it in, just didn't want to have it in. So much for what this chap thinks of the freedom of the press, and so much for his ---

THE CHAIRMAN: I think I will have to ask you to conclude your remarks now, because we have advertised this as a general public discussion.

THE PUBLIC: I only mention this particular case of Al Kamin and Ignatieff to show the use of marijuana, of drugs, would nowhere

near be as wide-spread if it were not advocated and if its advocacy were to be punished, then I think it would help to preserve a great many future victims of it.

THE CHAIRMAN: Thank you.

Mrs. Kucharsky, would you like to come and sit at the table? Mrs. Kucharsky is the Family Life Chairman of the Canadian Federation of Home and School and Parent-Teacher Association. She has come from Montreal and I understand Mrs. Kucharsky has been the person most concerned with the association of work on drug use.

MRS. KUCHARSKY: The Canadian Home and School feels that drug abuse has to be studied in the complete context of family living and society today, that you cannot isolate solely the study of drug usage and abuse.

Now, with this in mind we conducted a survey of a sampling of high school students across Canada with the assistance of Sir George William University, and we received advise from 2,240 kinds of students. These were processed bythe computer at the university with the help of Dr. Gardiner, a psychologist there; Dr. Cooper helped us prepare the questionnaire in such a manner that the students would answer honestly, they would be caught up while answering the questions and there were questions on their attitudes, on their scholastic ability, on their future plans, on their own feelings about their families and about thier

peers.

Speaking about marijuana, there are a couple of points - there were 54 questions in there, but there are just a couple of points I would like to bring out today.

Even among the users, and according to our survey there was 11.5 per cent, 20.9 of the drug users themselves are undecided whether teens should have the freedom to use drugs, and I think this is a factor that we have to consider. Both groups strongly agree that something must be done about getting professional information to them on drugs.

Another point that I feel is very important, 42 per cent of users say that they took marijuana out of curiosity; 18 per cent to feel good. But a very important point is that 73.9 per cent of the non-users say they will try marijuana out of curiosity in the future. I think there has to be ---

THE CHAIRMAN: Excuse me, Mrs. Kucharsky, what was that figure?

MRS. KUCHARSKY: 73.9.

THE CHAIRMAN: Say ---

MRS. KUCHARSKY: Say that they will try marijuana.

THE CHAIRMAN: Excuse me, Mrs. Kucharsky, what is that sample, what is the age range of that sample?

MRS. KUCHARSKY: I am sorry?

THE CHAIRMAN: What is the age group we are talking about?

MRS. KUCHARSKY: The age group is high school students from 12 to 13, which is high school age in the Province of Quebec, right up to 20.

THE CHAIRMAN: Professor Bertrand?

PROFESSOR BERTRAND: You mentioned that there were 2200 responses. How many questionnaires had you sent?

MRS. KUCHARSKY: We sent 4000.

As a parent, and as a member of Canadian Home and School, I feel that some way must be found to reach these people, these young people. Communication and education is the answer. We have to start very early. We have to start in Grade VI and Grade VII, not just the children alone, the parents have to be included in this education program. The time for parents to communicate with their children is not when they reach their teen years. This is part of their family life that has to start in the early years, if we hope to open the channels.

We presented two resolutions; we hadn't quite completed our survey. It is still not - it is only a preliminary study. This national survey, there will be replies given for each province that participated, a breakdown of the questionnaire for the users of solvents, marijuana, barbituates and LSD, and we feel this would give us

a greater insight into their feelings.

THE CHAIRMAN: Excuse me, Mrs. Kucharsky, could you give us some idea of the questions you are asking? When you speak of feelings, what are the kind of things you are asking?

MRS. KUCHARSKY: "I am liked by most people who know me. I have very few quarrels with members of my family. After high school I am planning on - there are five variables to the question. After high school, I am planning on (1) university, (2) technical or commercial school, (3) a job, (4) travel, (5) undecided." An interesting point here is that the drug users, about 25 per cent more of the drug users intend travelling than the non-users. Both are interested in a college education to a degree. "The availability of drugs in their area. Is too much fuss made about young people using drugs? Do you consider a good party needs marijuana?"

We were surprised at some of the non-users, that they felt a good party requires marijuana.

One point that we felt for taking marijuana off - which is a resolution that we presented - taking marijuana off the Narcotics Act and putting it under the Food and Drug Act, was that of the non-users, that they would refuse to take, only 8 per cent would refuse to take marijuana because it is against the law and these are non-users. So the law, the way it stands now, does not carry

very much weight, and it does affect the future life of any student who doesn't indulge in it.

THE CHAIRMAN: Have you considered a survey, or some study of a reaction, the feelings of parents about this law? Have you any views of the parents today about the law?

MRS. KUCHARSKY: About ---

THE CHAIRMAN: About the law on marijuana.

MRS. KUCHARSKY: From personal observation I have found that parents who have been affected personally in any way, feel very strongly that the law should be altered. As with anything, when you, yourself, become involved you would investigate the pros and cons very closely.

THE CHAIRMAN: What about parents who, from one day to the next, can't be sure that they won't be affected?

MRS. KUCHARSKY: I am sorry?

THE CHAIRMAN: What about parents who, from one day to the next, can't be sure that they won't be affected? You spoke about parents who had been affected, what about the parents from day to day that may be affected? Have they no views?

MRS. KUCHARSKY: The parents or the children?

THE CHAIRMAN: The parents.

MRS. KUCHARSKY: By the drug use of

their children?

THE CHAIRMAN: By the laws that affect their children.

MRS. KUCHARSKY: The parents, I think, once they are aware of the present law, feel that it should be changed.

I am not speaking of the legalization of marijuana.

THE CHAIRMAN: I am asking you about the views.

MRS. KUCHARSKY: Yes, the parents that we have discussed it with. As an example, when our resolution was presented at the annual meeting of Canadian Home and School - would you like to hear the resolution?

THE CHAIRMAN: I would very much.

MRS. KUCHARSKY: It was passed unanimously by the Board and this Board is comprised of parents.

THE CHAIRMAN: How does the resolution read?

MRS. KUCHARSKY: "Whereas, present research findings do not conclusively prove or disprove harmful effects of marijuana; and

Whereas, possession of marijuana is an offence under the Narcotics Control Act which dictates severe penalties; and

Whereas, the severe penalties

imposed have a negative effect on the future of the individual; and

Whereas, imposition of severe penalties for an offence which is rooted in inconclusive research leads to an alienation of youth from the law making and law enforcing bodies of the country; and

Whereas, this alienation of youth presents a severe threat to the future development of the nation;

Therefore, be it resolved that the Federal Department of Justice, while not condoning the usage of marijuana, remove, for the reasons above, the regulation of marijuana from the Narcotics Control Act and place it under the Food and Drug Act until such time as conclusive research findings dictate otherwise."

THE CHAIRMAN: When was that adopted, that resolution?

MRS. KUCHARSKY: July the 10th, 1969.

THE CHAIRMAN: In what kind of a meeting?

MRS. KUCHARSKY: The annual meeting of the Canadian Home and School Parent-Teacher Federation.

THE CHAIRMAN: How many people would

that be?

MRS. KUCHARSKY: About 40 people representing 250,000, that is the significant number, the public, all provinces.

THE CHAIRMAN: All provinces represented?

MRS. KUCHARSKY: All provinces were represented by President and a representative.

THE CHAIRMAN: So, as I understand it, it was a meeting of the members of the associations of the Federation, represented there by the respective presidents, about 40 members in all?

MRS. KUCHARSKY: Right, and this resolution was sent to the provinces about 8 weeks before the meeting and they had time to discuss it.

THE CHAIRMAN: So that the presidents came with the mandates of their respective associations, with votes to favour the resolution?

MRS. KUCHARSKY: Yes.

THE CHAIRMAN: Excuse me, thank you. Would you please continue?

MRS. KUCHARSKY: There is another resolution that we presented at that same time that was also passed unanimously to the Federal Department of Health and Welfare. Would you like to hear that one?

"Whereas, the use and abuse

of drugs and alcohol by Canadian youth is a question of vital concern to both youth and adults; and

Whereas, parents and young people are being supplied with many varying and often conflicting points of view on the effects of drug usage; and

Whereas, the reasons for drug usage by young people are many and not clearly understood; and

Whereas, any effective action on the issue of drug abuse must be based on sound understanding of causes and effects;

Therefore, be it resolved that, recognizing the action already being taken, the Department of Health and Welfare of Canada expand its activities in researching the causes and effects of drug usage, particularly the usage of marijuana and hashish."

THE CHAIRMAN: When was that passed?

MRS. KUCHARSKY: The very same circumstances surrounded this resolution as the other.

THE CHAIRMAN: Is there anyone who would like to make any observation? Yes, please?

Would you like to go to the mike?

THE PUBLIC: Mr. Chairman, I am an active Home-and-Schooler, and I certainly support wholeheartedly the stand taken by the Canadian Home and School Federation meeting in July. In fact, I welcomed it, and I would like to perhaps stress and underline one effect of this resolution which I feel is critical.

As a parent, and as a person who has had a lot of discussion with many young people who are using and have used marijuana, and who are convinced in their own minds, justifiable or otherwise, that marijuana is less harmful than many other things, such as alcohol and cigarettes, we cannot understand why the law is as it is. My major concern in this particular area arises from the fact that while we are investigating, and while we are not sure and while we are studying, thousands of young people are being arrested, charged, get criminal records, spend time in prison in circumstances and in an area in which the actual effects medically, sociologically and morally, are not clear. And it seems to me that the main emphasis of strength and importance of the resolution passed by the Canadian Home and School Federation, and as I see it, as a parent, stems from the fact that we are, in fact, presupposing and judging and marking and labelling, and ruining the careers of many young people in a very, very doubtful area, and the attempt to remove from the

Criminal Code and place in another jurisdiction, stems from this fact, and it is this area that concerns me very, very much. In fact, I have often thought, and I would like to perhaps suggest to the Commission, that they consider a moratorium on further prosecutions and arrests and judgments in this area, perhaps for 2 years or 3 years, during which time the whole aspect can be reviewed. And I think that this whole question should be given very, very serious consideration.

It seems to me that in many, many respects, we are being as ineffective with marijuana as we were during the era of prohibition with alcohol. I would suggest very, very strongly, as well, that we consider the fact the only beneficiaries from the present legislation on marijuana in particular, is to benefit the underworld, to benefit the Mafia-type organizations and the sooner, in my opinion, that we take it out of the criminal legislation and place it in the hands of the medical, sociological and parent and home atmosphere, the sonner, in my view, are we going to be able as a society to deal with it in an atmosphere that is free from the threat of criminology.

It seems to me that it is impossible if we want to have a discussion in our high schools, and I am a parent of high school and university children, as well as youngsters who are on the way up the educational ladder, it is inconceivable that you could have a decent discussion in a home and

the high schools, free from an atmosphere of repression, as long as the present legislation exists. It is impossible to talk about communication, it is impossible to bring it into the school system if a young person and every parent knows that he is subjecting himself, his child and his family to the dangers of arrest and criminal prosecution. It is impossible to have the free and full kind of communication and educational atmosphere under these circumstances and it is this area, in my view, that I would like to stress.

And just one more comment: Even in relation to the hard drugs, it seems to me that there is a difference between the seller and the user. We cannot cure a person from addiction to heroin by putting him in jail. This is a proven fact. In my view it is a medical problem, a sociological problem and the sooner we deal with it in the same way we deal with the diabetic, and the same way we deal with other medical and sociological problems, the sooner are we going to be able to deal with it in an effective way, and not in the repressive way that we have been dealing with it up to now.

So, I repeat, in my view, we need as far as marijuana is concerned, a moratorium on arrests and prosecutions while we investigate and discuss this in the community and we begin to emphasis the medical, sociological aspects of the whole thing of drugs, rather than the criminal aspects

I thank you.

---(Applause)

THE PUBLIC: You were asking if there was any survey at all on Home and School, on the attitudes of parents and the use of drugs and such things. The Ontario Federation did prepare a questionnaire for survey of parental attitudes which was enclosed in the convention slips, which would be about 600 delegates two years ago at the convention.

Our response was not as good as the ones to the Canadian, but I think we had approximately 43 returns. However, through these questionnaires that were returned and from various discussions that have been promoted by Home and School associations across the Metroplitan area at any rate, it was most evident that parents do not have factual information, and this was the greatest demand that information, free from the emotional atmosphere or by those who fear them, and also by those who would advocate the use of drugs, that through the various media information be given to parents and children so that they are aware of what the various drugs are, what their use entails and one of our questions, or several of our questions, try to determine what the parents thought were the causes that would drive children to the use of alcohol and drugs. A great many of

them felt that it was the insecurity that the child would feel as well as the pressure by the peer group to be one of the gang, and a few felt that maybe curiosity was the big factor here.

In respect to the present legislation, many felt that the law as it was should either be changed after careful consideration, or enforced, so we were not happy with the way it was. It either had to be re-examined or enforced more effectively. Almost unanimously the people felt that the users should have assistance - psychological and medical help, but the pushers should be very severely dealt with. The attitudes were really quite violent in a few of them, public whipping and such, you could tell how strong the feeling was, and yet the same person that advocated public whipping for the pusher, wanted better medical centres for the person who was addicted to drugs.

So that, I don't know whether that helps you at all with any idea of how parents feel, but those were our answers.

MR. CAMPBELL: I would be interested in knowing if these organized groups of parents are giving any thought to comparing their own drugless patterns with the drug-users' patterns of their offsprings, and analysing their own contributions to creating a drug culture. A very large number of these parents who have set their children a rather sterling example by using alcohol in front of them, the parents who have set the superb example

of violating the law, for instance, in Quebec, we had a liquor strike. I daresay that, without having done a survey, that the overwhelming majority of these parents, with the full knowledge of their children, broke the law in the most cavalier fashion. The pattern of parents who persist in using a whole array of other drugs for psycho-active purposes, ranging from the simple drugs like caffeine and nicotine. Are the parent groups thinking of this and are they reacting about their own status in this, both legal and illegal?

THE PUBLIC: I am the Executive Secretary of the Canadian Federation. In answer to that question, sir, yes, they are examining. I know of my own knowledge, for instance, there was a certain amount of publicity given on the resolutions after the July meeting, and I received a great number of telephone calls which I am still receiving. In talking with parents I find that they do very greatly blame themselves for a lot of the situation that has come about. In fact, parents today are quite guilt-ridden about the whole thing. These parents that I have been talking with are realizing that perhaps they have set the pattern. On the other hand, they are now desperate for some means of combating it.

Now, I have had approximately 20 telephone calls and several letters from parents asking for help. They will not give me their names, those on the phone, because they are terrified. They

will not go to the police because they say if they do, then their children will have a stigma for the rest of their lives and they recite such things as passports, not beingable to visit other countries, not being able to be bonded, and a parent who suspects his or her child of taking drugs, does not know to whom to turn, they are afraid of the law and they appeal for help. But where do they go?

I strongly recommend that the resolution, taking this from the Narcotics Control Act, with a more modified form so that we would not be afraid to seek help, be put into effect just as quickly as it can.

MR. CAMPBELL: That has been an entirely gratuitous remark, I think it is more realistic that they are drug users.

THE PUBLIC: I have been attending most of these meetings and it has been very helpful. I have had several things clarified to me, but there is a whole field in which I am vitally concerned, which has not been touched to date. I am a social worker, dealing constantly with unwed mothers. Now, during the past year I have had a rough estimate, 8 or 10 of my unwed mothers who have been on drugs throughout their pregnancy. As they reached the end of their term of pregnancy, they become terrified as to what will happen, is their child going to be affected, is it going to be deformed, et cetera.

The question I would put to you today,

is there any research being done, or is there any research going to be done, or any way you are gathering facts that we may have as to the effect of drugs on our unwed mothers? This is vital to our situation.

THE CHAIRMAN: Dr. Lehman?

DR. LEHMAN: Research is being done. It does take time, though. One may have to wait years on a sufficient number of cases to be collected where women, during various stages of pregnancy, did take one or several of the various drugs. But at the present time, one can be fairly reassuring. The only suggested evidence is that a drug might, well, produce a greater incident of malformation in the babies, in the newborn, as LSD. There is some evidence, some papers have been written, and not many cases, and it isn't too convincing. A great many people have taken LSD and have had quite healthy babies.

But that is probably the one drug one has to be the most afraid of. Nobody knows. Scientifically, we just have no evidence what is going to happen if a pregnant woman, particularly in the first three months of her pregnancy, smokes grass, for instance, regularly. So far, there is no evidence that there will be malformations in the baby, nor is there about speed or tranquillizers, but you will remember what happened seven years or more ago when a particular sedative, thalydomide, had been given for years to hundreds of thousands of

1 women during pregnancy in Europe and also quite a
2 few in Canada for vomiting and nausea. It was
3 for years, and I remember myself considering it
4 a particularly safe sedative which was safer than
5 the others, until suddenly the tragedy was
6 recognized, all these thalydomide babies. So it
7 does take considerable time and that is, of course,
8 one of the reasons why marijuana probably ought to
9 be studied systematically.
10 So far, then, to sum it up, the
11 only suggestive evidence there is is for LSD, for
12 acid.
13 THE PUBLIC: I just wanted to point
14 out that we are carefully documenting our own
15 drug users, I mean, within our own confidential
16 files, we are keeping what records we can,
17 following our drug children as carefully as we can.
18 If there ever is anything set up where this data
19 can be accumulated, I think it might be helpful
20 at that time.
21 I just wanted to ask one other thing: If
22 you are going to be making to the Parent-Teachers
23 Association what the parents are vitally asking
24 for is help and guidance, another point I will
25 bring up that is significant, I think several of
26 the other unwed mothers have mentioned at the time
27 of conception they were on drugs, this was given
28 as their reason for pregnancy at the time. I am
29 thinking back to our generation when we were
30 made aware by our parents that if you were drinking,

in other words, you were probably -- as you were growing up yourself, you were told that alcohol reduces all your inhibitions, et cetera. I wondered if this could perhaps be included in your guidance if it is coming out to the teachers, that I have been impressed by the evidence on marijuana where you have this marvelous feeling of euphoria and love and oneness with one another, and this is the situation in which pregnancies quite often occur and if this could be made, pointed out in your information, I think it might be helpful.

THE CHAIRMAN: Excuse me. I wonder - before you sit down, do you have any evidence yet - have there been any malformations or defects of birth?

THE PUBLIC: Unfortunately, four - there have been three drug babies born in the last year. Now, these are mothers who have been on drugs completely throughout the whole pregnancy, not just trying it once, or once or twice. This has been a person who has been on LSD at least once a week throughout the pregnancy. Now, the first child that was born in this case we have kept under observation for a period of six months and it appears to be a perfectly normal child, nothing that we can find.

The second child born is not a fair estimate at all. The mother was severely diabetic, the child was delivered prematurely and we cannot use this as a controlled child at all. And the third

mother kept her child and went to another province. We have lost track of that one. But we are, as I say, keeping documents ourselves for our own information, mainly for reassurance to the mother -- to the future mothers, that we will have.

THE CHAIRMAN: We would appreciate it very much, if you have any evidence that you think we should - that would be helpful to us, if you would send it to us and keep us informed of anything else you learn through your various associations about this.

THE PUBLIC: I will do that.

THE CHAIRMAN: Thank you very much.

MR. GRAY: Gray, Canadian Home and school. One little point has been overlooked and we have had letters from across Canada in respect to this. Parents are a little worried if we change the Act on marijuana, what happens to the boy that is making all the money out of this? They want him still to be hit by the full force of the law, no halfway measures for him. This is the feeling of 250,000 parents.

THE CHAIRMAN: I want to understand this point very carefully. As I understood it, the parents, you say, feel that the seller, or pusher of all drugs has to be dealt with by the criminal law and that includes, that would include in your judgment the seller or pusher of marijuana, if the legal status of marijuana was changed?

MR. GRAY: Right, most definitely.

MR. CAMPBELL: Does that include the person who sells alcohol to high school students illegally?

MR. GRAY: That includes the seller who sells cigarettes that you are smoking, sir, or a pipe, it doesn't make any difference. I could get into quite a large argument about that today, but this is drugs today.

THE CHAIRMAN: We acknowledge that.

MR. GRAY: This is drugs and drugs only, and as far as I am concerned, this is the feeling of 250,000 parents right across Canada.

----(Hear-hear)

MR. GRAY: I don't smoke, by the way. Thank you.

THE CHAIRMAN: I won't ask you the next obvious question.

MR. GRAY: I do.

THE CHAIRMAN: So, do I.

MRS. MILLER: Marie Miller, from the Federation of Ontario Home and School, Area D. I just want to address a short question to Mr. Campbell as to why he feels so broadly and so generally that parents are drug users and, goodness knows, parents are guilt-ridden and harassed and blamed for just about all the ills in society and parents are people who also had parents, so that I don't know if this easy-cut is a place to put it.

In our own family, and in most of the middle-socio-economic groups that most of us know most about, there are very few evidences of drug-using or abuse of alcohol. Most of us at this point are non-smokers and our children drink when we drink, on festive occasions, at Thanksgiving and whatnot, they have a glass of wine with the rest of the family, and I don't think that parents, as drug-users, are as big a problem or are the causes that you seem to indicate.

I wonder why you find them scapegoats?

MR. CAMPBELL: I am not attempting to use the parent as the scapegoat, nor am I attributing particularly blame. I am concerned that there is a lack of realism on the part of a large part of the adult population. People, when they talk about drugs, seem as a rule to refer only to marijuana, acid and speed. Now, I think this is clearly nonsense and it is time that people realized what drugs are. These are drugs: Alcohol is a drug, caffeine is a drug, nicotine is a drug. All of these drugs are also psycho-active drugs. Now, all I am asking is that people, if they are going to use "drugs", use the term properly. If they are going to talk about drug-users, they deal with themselves, if, in fact, they use drugs and if they use them for purposes of achieving a psycho-active effect.

The other point, I suppose, behind these remarks is because I have, in fact, been readily

1 impressed by the remarks of younger people, young
2 adults and people in their teen years, when they see
3 a certain amount of hypocracy in the society and
4 I must confess that I feel a great deal of sympathy
5 for a few points that are put, that a parent who
6 breaks the law of alcohol with very little risk,
7 certainly very little risk of social stigma. We
8 break the law with reference to another drug and
9 choice, and we face great penalties.
10 I was very impressed yesterday by
11 this argument when it was put, and it was put in
12 terms of hypocracy, that a person can become drunk,
13 drive, kill somebody, receive a very slight penalty
14 under the law, and a person found smoking marijuana
15 or with marijuana in his possession receives a very
16 much heavier penalty. Specific cases were cited.
17 It strikes me that a society that is responding
18 this way has been really rather absurd. But,
19 basically, I am interested in some realism in the
20 use of the term "drugs". I am not interested in
21 having anybody feel guilty; by and large, guilt
22 doesn't interest me much.
23 MR.STEIN: There is another point,
24 Dean Campbell. Could I just add another point to
25 that very briefly, and that is that some of the
26 figures and statistics that we have been given
27 from the Food and Drug people in Ottawa, in relation
28 to the amount of barbituates and sedatives and
29 tranquillizers that are consumed by the Canadian
30 public, are rather staggering. I don't have the

figures right at my finger tips -- perhaps one of the Commissioners who is also aware of these figures, might expand on that.

MR. CAMPBELL: The figure that we were made aware of, that there were approximately 560 million standard doses of barbituates produced in 1968 and I think something on the order of 66 million standard doses of speed.

THE PUBLIC: Mr. Chairman, as a parent and a member of the Home and School Association, I feel rather proud today of the people who presented the suggestion to various organizations in the final resolution. However, I feel that somehow, Home and School, unfortunately, at the present time, can be somewhat limited.

I am concerned mainly with the child from Grade III to Grade VI in our elementary school system, and I feel that it is about time that more officials were involved in this type of program. We have a vast and large and wonderful school situation in Ontario and in Canada and I think it is time that our officials got involved. I would like to see these children get educated through teachers with the help of medical and sociological people, because, after all, you have to get to the basis of this thing, you can't let these children go on without knowledge.

Thank you, Mr. Chairman.

THE PUBLIC: Mr. Chairman, I don't think we should condemn young people for experimenting with marijuana. I have found that the young people

of today do not want to be told "Don't do this and don't do that". They want to find out for themselves and that goes, not only for marijuana, but for other drugs and for sex too. I would suggest that, if it is true what I have been told by young people, that marijuana makes them happy, makes them feel at ease, makes them friendly and even loving towards other people, and that they appreciate [illegible] nature more than ever before, especially flowers, trees, birds, animals and even people, I think it should be legalized and possibly controlled. But I think the police are slap-happy with arresting young people and throwing them in jail and then forcing them to work for them as decoys or prostitutes for the purpose of black [illegible]. And I am saying that because I know from personal experience that that is what is going on, and young people are placed on probation and probation officers tell them, "Do this, or do that or else you will go back to jail", and I know for certain that there are cops in Toronto today who are involved in narcotic exchange: I know of one for sure and I am sure there are more than that and if the Commission wants to find out what is behind the drug, what is increasing drug trafficking and so on, it is certainly easy to find out. There is money behind it, agreed, it is organized crime that is behind all this. They tell a young person, "Do you want to make some money? Do this and do that and we will see that you get good clothes and a

car and parties", they call it tea parties, with women and booze and a holiday in Florida with all expenses paid. I know that for a fact. I know people who have gone to Cypress Gardens, that is where the racketeers hang out in Miami.

So I think it is to consider very carefully that to recommend that marijuana be legalized and controlled, and I have found in Montreal and Toronto, I went to the R.C.M.P. and told them to do something about it, and do you know what they said? "Our hands are tied." Who tied their hands? The politicians.

THE CHAIRMAN: Mrs. Kucharsky?

MRS. KUCHARSKY: I would like to comment on the speaker just before this gentleman, the one who spoke of using teachers in the school to educate our young people. It is the feeling of this Committee, from the research that we have done, the teacher's work-load is much too heavy to undertake a task such as this. We feel that what is required is a young person, not necessarily a teacher, who can relate to the students, who has all these facts and figures at his fingertips. In one program that I am aware of that the school board has undertaken, the teachers who did do it found that it was a very heavy schedule for them. But a lot of benefit was derived mainly by the communication that was opened up between the student and the teacher.

There is another - solvents have

not been mentioned at all and across Canada there is a good deal of solvent inhalation by our 10 to 12 year olds and we feel that there should be instruction in the dangers of solvent inhalation and in the different types that are being used, such as the aerosal sprays that are being inhaled, aside from glue-sniffing.

The figures for solvents, in relation, are 5.8 per cent across Canada. They are quite similar for each province. The Maritimes are higher in the incident of solvent inhalation to the rest of Canada. This is my comment.

THE CHAIRMAN: Thank you. Dr. Lehman?

DR. LEHMAN: This is a very interesting suggestion, or the point you made certainly is an excellent one. The teachers are already so overworked that they can hardly keep on this additional task.

There is another reason why the education is most essential for school children, why this job should probably be taken on by somebody else, namely the credibility gap due to the generation gap. The teachers are older, the teachers, therefore, will probably not be believed as much as younger people would, and there is, of course, the possibility of training a group of students, perhaps, even high school students in their last year, and let them go to the various high schools and discuss with the children and inform them, rather

than preach to them or instruct them.

A similar problem of this kind is being experimented with in the States and so far it has turned out to be quite successful.

The solvent question, well, you probably know that in the States at least one firm now has added nauseating chemicals to the solvents and this might become a partial solution. But, again, if the children would really understand that they are doing a very dangerous thing that is as dangerous as speed, and moreso, and if they would really believe it; in other words, get this information from somebody whom they can believe, perhaps somebody their age, or not far removed from there, then they would probably believe, and the incidence of glue-sniffing would be much reduced.

MRS. KUCHARSKY: It has been my experience that it is not necessarily a young person, age-wise, that is important, but a person who is young in thought. The groups of young people that I have associated with, once they understand that you are honest and knowledgeable and you have an insight into their feelings, and you are considerate of their attitudes and what is going on in the world, these are the important things, and they open up to you and they are honest with you in return and respect your information and your ideas.

THE CHAIRMAN: I am glad you made

that point, Mrs. Kucharsky, because that is the only possible hope for the credibility of this Commission.

THE PUBLIC: I am a teacher, and as teachers feel on this problem, we do need assistance in understanding in the complete context of social and psychological areas surrounding it all. I must agree with the gentleman, on the Commission who wondered about the parents being completely honest. May I say that young adolescents very soon realize that they are being neglected by their parents who are caught in the social whirl of their business life and the parents must realize their responsibility here. Otherwise, as teachers, we cannot help the young people.

THE PUBLIC: I am a counsellor in a Junior High School and I would like to point out that these children will not come in for help because there is a law that makes it illegal in using marijuana. Therefore, no matter how trained we are in this area, unless they will come in for help, we can't do anything for them. Therefore, I would like to support this gentleman in the suggested moratorium while this research is going on so that these people will feel free in coming in and talking over their problems with us.

Also, I have to agree with Dr. Lehman that there is a tremendous credibility gap between students and teachers ---

THE CHAIRMAN: Excuse me, I wonder if you could step a little closer to the microphone?

THE PUBLIC: All right. The teachers are on the side of the establishment and the students, unfortunately, feel that they are on the other side and also feel that a lot of teachers are not psychologically prepared to handle this kind of information and could probably do more harm than good, so that I would have to support having a specially trained group who could be sent into schools for this purpose and, of course, working with the counsellors who would be there all the time on an individual basis, but there is no way the students will come in when they feel that a counsellor can, at any time, be called to testify against them, and this is one of the aspects of our lot, that if a student has been found to be involved, the person who counsels him can be required to give out this information.

THE PUBLIC: This suggested moratorium, is this with respect to the prosecution of the user? Do you suggest taking the use of marijuana away from narcotics? Are we not going to have any policing? Right? Have you faced up to the logistics of this whole thing, admitted that it is probably good as far as the user ---

THE CHAIRMAN: Excuse me, I wonder if you could just defer the answer to that question. I would like to hear the answer, but I think we should hear from this lady who is standing at the microphone.

THE PUBLIC: Mr. Chairman, it was

mentioned about counselling. I had the rare privilege of sitting in Barrie, having been on the school board, and I had the rare privilege of sitting in and observing. It was a doctor, a social worker and youth counsellor, who had, after school hours, anyone was welcome from the students who wanted to learn more about drugs or who had problems. And my observation from this was that once a young man or woman had taken drugs, the adults are usually very quick at condemning him. But what was in that atmosphere there, there were people who had even been arrested. Everybody knew that that young man was on probation but he was not snubbed, he was taken in, accepted, like the rest of them. They made him feel welcome and through that I think is once a young man or woman are on these drugs - and in this case it was speed - we very quickly close the doors to these people. We just say "Don't associate with him, don't bother with that person because he is no good" and, as I say, in sitting in there, these people, what they did for me, it was something tremendous. It was nothing extraordinary, just sitting there and having a good ear to listen, trying to tell them, I mean, they were asked the question, not lecturing. These young people were asked, "What should we do, how should we go about it, how could we get help?", they would not squeel and this is another thing that we are a lot quicker as adults, ready to tell on our neighbour if he has done something wrong. And again, I have to

respect our young people, maybe in the wrong way, that they would not squeel on the next person, which I feel sometimes they have higher standards than we have when, let us say, we were that age.

And, again, the only thing that I could find was a tremendous help of not condemning, not judging, having the door open, and guiding them, not preaching to him, because it is too often, "Don't do this, do that", wait until the young person asks you but be there when he needs you, this kind of thing. I found that in any area, like Toronto - not this happened in Barrie and it was Northern Collegiate where it happened, anybody was welcome from the other two collegiates too, and if it had been requested from the student body, these people would have come in, so it was there, it is available, but, "we are not coming to tell you what to do, you have to ask us what you want."

THE CHAIRMAN: Thank you very much. Would you like an answer to your question?

THE PUBLIC: I was going to suggest that perhaps the panel may have done some thinking on this already. "Moratorium" is a very popular word these days.

THE CHAIRMAN: Well, if we have done any thinking, we haven't done it collectively, and I don't think we would be in a position to express a view, certainly, as a Commission, but we have taken note of these suggestions.

THE PUBLIC: Well, I think it is the

most important point that has come up this morning and I am not necessarily saying that I, personally, would go for a moratorium, but ---

THE CHAIRMAN: Could we have a little clarification of the proposal and just how it would work out? Is this a complete suspension of the law with respect to marijuana only, for a trial period of 1 or 2 years? This complete repeal and no control of any kind, criminal or otherwise, for 2 years, is that what is contemplated - - presumably except for pushers? Perhaps the author of the bill should be allowed to speak to it. Perhaps we should ask for clarification before we ask for other response.

THE PUBLIC: I should explain to the Commission that this is not a novel or a thesis that I have been working on for 14 years, and therefore, have a finished program. I must apologize to the Commission for this, if my answer may not be quite as precise, although it is a very, very important question that has been asked. I have been thinking about it for a number of years in my dealing with young people, and the first thing we, for example -- I want to just give you this preamble, if I may, to perhaps define what I have in my mind.

In our community last February, we planned a community discussion at the local high school on the whole question of drugs. We wanted to involve the high school students in our planning

committee. We could not get their participation, or their cooperation, or their involvement in any way until we assured them (a) of strict confidence, (b) that it was not a put-down, as they use it, the term, (3) that we would, in effect, create an atmosphere of dialogue other than an atmosphere of salvation.

Now, when I speak of a moratorium, the thing that is clear to me personally is, I think, that we need a moratorium on the prosecution, arrest and criminal charging of the user. This, to me, as far as I am concerned, is clear in my own mind.

Secondly, and this is a question more than an answer, I don't know what the approach should be. The Home and School resolution, as I understand it, in desiring to move the legislation from the Criminal Code to the Food and Drug Act, even proposes some modification by removal of the way in which even the sale illegally is handled. In other words, I don't know exactly the definition of an offence under the Food and Drug Act. Perhaps Mrs. Kucharsky could explain this, but I thought there was perhaps more involved in this than merely trying to modify the effect on the user himself.

There is also, I think, some implication involved in how the seller is prosecuted under the Food and Drug Act, as against the Criminal Code where it is presently located.

Now, here is a vague area and I am

not too sure what the significance is. The area that bothers me, and I am going to pose it as a question rather than an answer: We say "Let's arrest the pusher; let's arrest the seller" and yet we are saying to the young person "We are not going to prosecute you if you are found as a user". Are we, in fact, saying to the young person, "It is all right for you to deal with the criminal element and buy the stuff from them and give them profits and let them continue to be in business without changing the method of availability"; in other words, I would like to propose for consideration to the Commission, that they consider during this moratorium, some control of the legal aspect for the availability of marijuana so that we take it out of the criminal element and if the criminal element continues to operate and a person buys and sells outside of the framework of the controlled apparatus, then I say, let's prosecute, let's arrest and let's charge in the most effective way.

So that what I am, in fact, in one instance suggestion, that the moratorium must include some control avenue for possession which removes the contact from the criminal underworld situation.

THE CHAIRMAN: As I understand, this would be control of quality and availability?

THE PUBLIC: Correct.

THE CHAIRMAN: Do you suggest an age limit?

THE PUBLIC: I thought of 18 years of age. Maybe I could just ask, Mr. Chairman, the way the HOme and School resolution reads to me, it should be under the Food and Drug Act. Nobody is interested to stand on the corner and sell aspirin because I can't make money if I can get it for 69 cents at the drugstore, and I think if this would be the law, that it would be under the Food and Drug Act, the government would have control for a moderate price and nobody would get rich, the pushers would stop selling it, it wouldn't be any use to him, so there wouldn't be any pusher.

THE PUBLIC: That would be unfair to the cigarette smoker and alcohol drinkers.

THE CHAIRMAN: Excuse me, I think we are speaking of being under the Food and Drug Act and I assume what is thought there is control of quality, sort of licencing and inspection-thing, but the Food and Drug Act also contains criminal law provisions today, both in Schedule G and Schedule J, against the trafficking of certain things, like, for example, amphetamines and LSD, and so on. SO, as I understand, the total proposition now, with its various amendments, is that there should be a suspension for a trial period of, say, two years of the present criminal provisions with respect to possession of marijuana, but that marijuana should be subjectto quality control under the Food and Drug Act, with or without some government distribution, I assume, is implied, and

the criminal provisions with respect to the trafficking in marijuana including what is called pushing by youngsters, should be retained. Is that the proposition? Could I take the liberty of asking for a show of hands on that proposition? How many would favour it? How many would oppose it? (There is a show of 2 opposed).

Would you like to speak to this?

THE PUBLIC: I would just like to say a few words.

THE CHAIRMAN: I am sorry, I should have recognized the man at the back. Excuse me.

THE PUBLIC: I just have a few words to say. I was on speed for about six years and I am sort of what you call a retired speed freak, but I feel that the most mature approach society can use is a sort of cautionary five-year period where sort of the courts and the law lay off a bit and sort of calm down from this neurotic obsession for evil, and a sort of a research period for about five years and an educational period. For example, in your medical schools, the average medical doctor, he reads Boyd's Pathology, or Cecil's Diagnosis and he looks up under "speed" and he finds an amphetamine addiction, he may find a short paragraph, or a page; in other words, the people we look to for leadership in the community, in the small villages and towns of Canada, they don't know anything about the problem. They don't know the implications of diet pills, iatrogenic addictions, the millions of lives that

have been destroyed just starting on diet pills, like Preludin, and the amphetamines.

Again, you go to the medical text and you find the poverty of knowledge on the subject and yet, outside the doctor's office, society seems to be going mad, like a witch hunt, you know obsessively searching out evil and where is evil? They don't even know themselves, they are more interested in the evil than they are in saving anything. It reminds you, historically, of the Calvin period and some of the religious witch hunts that have gone on through history where (Ralph Waldo) Emerson would be strongly against our modern approach, they believe in civil disobedience and when a massive group in a culture voluntarily either ignores or rejects a law, then we can only assume that it is either illogical or unjust. We are not dealing with a sub-culture, we are not dealing with a tiny minority, no more than President Nixon can look at the Vietnam protests and say "This is the rabble. This is the wave left," you know . Repression solves nothing, either in the individual human mind where, if we repress an idea it relates into the body through symptoms, or it is projected by 40 different defence mechanisms to handle repression.

So, in society we can't repress an idea, we can't repress a younger generation that is alienated in a dead period. We have to go after the causes.

I am sure I have spoken too much, but

thank you.

THE PUBLIC: Mr. Chairman, I believe that the Criminal Code needs revision. I also think there should be a certain age established when a person becomes an adult in the area of the law, in all cases. At the present time a person of 16, or even 14, as in the case of Stephen Truscott, are regarded as adult and tried in adult court, while in civil cases a person under 21 is regarded as a minor. Surely that is ridiculous. Don't you think, Mr. Chairman, that the age of 18 should be established as an age at present?

THE CHAIRMAN: Well, I am interested that you should bring this up, because I have asked the mover of the proposition if he favoured an age limit, what it was, and he said 18, and in my submission of the proposition which was overwhelmingly supported with only 3 or 4 dissents, I did not mention the age limit, and this is, of course, a very important point, and I wonder, then, if I could just for our own guidance, make sure we understand the sentiment in the room on this proposal, or moratorium. How many would favour an age limit, first of all? That requires a count, I think. How many would not favour an age limit? I think the majority would not favour an age limit. That is my impression. Perhaps since this is an important meeting, perhaps if we could just take the count again. How many would favour an age limit? (26) How many would be opposed to any

1 age limit? And, of course, we are assuming there
2 is this moratorium. I just have to clarify the
3 vote first.
4 46 against, that is 46 would
5 favour no age limit. Only 26 would favour an
6 age limit, so the majority are in favour of no
7 age limit. And now the clarification?
8 Excuse me, there is a gentleman
9 asked me to clarify.
10 THE PUBLIC: I just wondered, some
11 people are confused with respect to the implication
12 and application of age limit.
13 THE CHAIRMAN: Well, yes, you are
14 quite right.
15 Excuse me, would you mind letting
16 me reply to that, please? I think it would be
17 helpful if you could just take your seat for a
18 minute, if you wouldn't mind. I would just like
19 to clarify this.
20 I am assuming that the implication
21 is this: That the total implication of the moratorium
22 would be that marijuana, with quality control,
23 would be made available for possession and use
24 but not for resale or trafficking to persons over
25 18 years of age. That is what I understand by it.
26 And I understand that those who favour no age limit
27 would favour that it be made available under those
28 conditions, quality control for use, for possession
29 for use, and not for trafficking to anyone, regardless
30 of age. This would leave it as a matter - that

was what I understood.

Now, is that acceptable?

THE PUBLIC: Only for those who are underage, who did use it?

THE CHAIRMAN: Let's discuss it. It is not my proposition. Don't worry about the vote, but let's discuss the issue. There is a lady at the back. Would you go to the microphone?

THE PUBLIC: Excuse me, but a few of us are confused. Do you mean the underaged?

THE CHAIRMAN: Would you speak more closely to the microphone, please?

THE PUBLIC: Do you mean under 18 years of age, these students or children would be criminally convicted, is this what you are implying?

THE CHAIRMAN: No. Well, I've gotten myself in the awkward position of starting to formulate the proposition. Perhaps I should allow the mover to carry on these discussions and these implications.

THE PUBLIC: Could I just give some information for a moment? Under 16 in Ontario you are prosecuted in Juvenile Court. In B.C., it is 18. So when we choose 18 here, we may be doing so in ignorance of what our own system in Ontario is.

Now, I suggest, if the age limit has any merit at all, it has the merit of keeping those you are going to prosecute in the Juvenile Court, not in the Criminal Court.

---(Applause)

THE PUBLIC: Mr. Chairman, there is a good possibility which has not been mentioned by you, it is that there are some that believe that marijuana should not be made legally available anywhere, who do not object to anybody using it if he can get it where he wants to, but we object to the state sanctioning its sale to whatever age limit. Therefore, the question over or under does not apply.

There is this other point: There are those who say that the use of marijuana is not an offence by whatever age, because you can't go and prosecute them for it anyway, but the distribution of it and the pushing of it should be more severely punished, and that that will put an end to the use of it.

THE CHAIRMAN: Professor Bertrand?

PROFESSOR BERTRAND: On the question of the age limit and the possible coincidence of the setting of the age limit with the Juvenile Court liability, I would like to make just a small clarification perhaps. It is true that we have three different ages of maturity in this country, but it is also true, I think, we are already very unfair to the juveniles, because besides all these statutes, federal, provincial, municipal, that apply to the adult population, meaning, besides all these sections

we also have two very important additions in the juvenile law, our Juvenile Delinquency Act, which are that a child can be declared a juvenile delinquent because he is thought to be incorrigible or having an immoral sexual conduct, or any other form of vice.

Now, if we add to these two exceptions another sort of behavious which is not applicable to the adult population, I don't know how you feel about it, but I have some feelings about it already, meaning that, in addition to all the behavious and acts which are prohibited to the adult child population, we are now making another offence, criminal offence, if possible, for the youngsters.

THE CHAIRMAN: Yes?

THE PUBLIC: I would like to bring one or two points across. We all like to discuss the laws as far as they stand, but as far as setting any age limit is concerned, we all know that there is a law in this province that you can't smoke if you are under 16 and we all know that we see delinquents running around the backyard of some schools and they are getting passed out cigarettes by other people. Now, are we going to be concerned that somebody over the age of 18 is going to buy marijuana and pass it around to the 13 and 14 year olds? Are we going to be concerned about this as far as we are

concerned about the smoking aspect?

THE CHAIRMAN: Anybody care to respond to that?

I think we should adjourn shortly for lunch, but just before we do, and reconvene at 2:00 o'clock, Phyllis Haslam is here from the Elizabeth Fry Society. We were unable to hear from her yesterday and I would be interested to hear her observations at this stage.

Would you like to sit at the table? Miss Phyllis Haslam, Executive Director of the Elizabeth Fry Society - and then I suggest that we adjourn and reconvene at 2:00 o'clock. While Miss Haslam is getting settled, I should like to take this opportunity to thank the Ontario Federation of the Home and School Association for their contribution to this meeting today, most helpful contribution, and Mrs. Kucharsky, for being present and giving our proceedings such assistance.

Thank you, ladies.

THE PUBLIC: Before we close, could I possibly say something?

THE CHAIRMAN: Yes.

THE PUBLIC: Thank you, Mr. Chairman.

Very briefly, from discussion this moring, it is apparent that parents are vitally concerned about drugs and abuses, that they are searching for guidance and assistance in coping with this problem and, as a leader of the Home and

School movement in Canada, it is my hope that every - that the thousands of Home and School Associations throughout this nation, would provide a form of communication about this problem and I would appeal to the Commission for as much guidance and assistance as you can give our leaders in planning these programs in the local associations at the provincial level and across the country.

Thank you.

THE CHAIRMAN: Miss Haslam?

MISS HASLAM: Mr. Chairman, Members of the Commission, thank you very much, indeed, for fitting me in. I want only to make two points and they are somewhat emulated to the particular discussion which we have had so far this morning.

I speak as the Executive Director of an agency working with girls and women who have come into conflict with the law, in many instances, having spent a period of time in custody.

In the discussions which have been taking place before you, our society has been concerned about, first of all, this question of marijuana leading on to the use of hard drugs, in particular, heroin.

It has been our experience that for the most part, the young women with whom we work, and we work with a fairly large number of women who have been, or are heroin addicts, that marijuana has been an incidental part of their movement into high drugs rather than a contributing

cause of it.

We have had the experience of seeing young people come into the city in search of being somebody, being a part of some group, and finding that the group that they saw as an important group, being the heroin user, and therefore, they have tried to do the things and be in the places that the heroin addicts are, and some had certainly been smoking marijuana, but we would urge that this be looked at in the proper perspective of the contributing causes of the heroin user, rather than being used as a basis for a marijuana user being punished.

THE CHAIRMAN: What is the attraction to the heroin addict community for these people?

MISS HASLAM: I think that the attraction is that many of them feel that there is no place in, as they call it, square society, society of people who have not been charged as offenders, and for a period of time in the institutions, for instance, the heroin users were rather high on the sort of tree of the important people in the institution.

I think this is not so now to that extent, but there is the feeling that you belong until, in fact, you get into the group and then you find that there is little cohesion within the group that you thought was there as you looked from outside into it.

The second point I would like to make does relate in some way to your question, and that is our anxiety about young people who are feeling very lost as people, feeling that they are unwanted, that they have no place, either in the family or in the community for a variety of reasons, that they are trying to search out their own identity and, because they are particularly lost, if they are picked up for smoking marijuana at that time, and they are some of the ones that are perhaps more likely to be picked up by the police than others.

There is a tendency, we feel, that this gives them a strong push into the criminal element, rather than helping them to find their place in the non-criminal community, and this is intensified when they see and hear many people speaking about using marijuana who are good citizens, we say, and nothing happens to them. But the fact that they were the ones that were selected to be charged and imprisoned, and even if this sentence is not imprisonment, many of them are spending a period of time in custody in the local jail, being reassured again and again, that their place is with the criminal element, not with the rest of society.

And we feel that the law against marijuana, in fact, is intensifying this rather than helping it. We are not authorities on drugs but we do feel that we have the responsibility to

bring these two factors to your attention.

THE CHAIRMAN: Thank you very much. Professor Bertrand?

PROFESSOR BERTRAND: Miss Haslam, have you any sort of differential, or clinical evidence as to whether women who tend to use heroin, let us say, differ in their pattern of addiction from men? Do you have any real differential study?

MISS HASLAM: No, we don't, because our work is entirely with women, excepting perhaps, the occasional boy friend, not enough to make a definite statement.

THE CHAIRMAN: Dean Campbell?

MR. CAMPBELL: Mis Haslam, I was wondering if it has been your experience that the criminal law is an effective deterent on behaviour in essentially this broad area of crime where there is not a distinct victim? Rather than just looking at marijuana, I would like to generalize to the whole area of crime and its victims. Has it been your experience that the criminal law operates as a deterent here?

MISS HASLAM: I am sorry, I am not sure enough of your question.

MR. CAMPBELL: I was thinking that we have in the use of marijuana, yet another example of type of crime that is spoken of as a crime without the victim. Has it been your experience that the body of criminal law can operate

as an effective deterent in this area of crime?

MISS HASLAM: My guess, and it is only a guess now, would be that, in fact, it does not act as a deterent, but rather that frequently this particular group of people are people who already feel themselves to be of no value and the very fact of the arrest, and the trial and the punishment that is subsequently that they are so frequently found guilty of these offences, in fact, reinforces their own sense of inadequacy and of being no good, and therefore, I think that it increases their participation in these particular crimes, because I do feel that you do have a very real authority on this particular subject, Professor Bertrand, and I am sure that you would be very helpful in speaking to it now, or later.

THE CHAIRMAN: Are there any other questions or observations for Miss Haslam?

Thank you very much, Miss Haslam.

Oh, excuse me, I believe there is a question. Have you a question for Miss Haslam?

THE PUBLIC: Yes, I have one.

THE CHAIRMAN: Would you come to the microphone, please?

THE PUBLIC: It occurred to me, in respect to the last question that was put by the panel, that the problem, perhaps, of crime in a general area, rather than narcotic, is related very largely to the perhaps, poverty group, 35 per cent of the nation.

Now, in that context, it also occurred to me that the legislature should very seriously consider increasing the school leaving age from 16 until 19, and I make the point, and I believe this is relevant in that, at the moment, a lot of people that fall within the area of poverty group offsprings, psychologically finish school when they are around 13 or 14 because they like - toward from the age of 16 when they know they are going to leave and they make no, very often, real effort at school, and in poverty areas it makes it extremely difficult for youngsters in the same age group to get the same facilities that a student might have, for example, in the area such as Forest Hill.

Now, I put this to you because it is my understanding that in Sweden the school-leaving age is, in fact, 19, subject to the qualifications that every person succeeds in getting through the Grade XIII equivalent, then they may leave.

Now, it is my view ---

THE CHAIRMAN: I am not sure that I follow. I just make this observation. I don't know how much longer you wish to speak to this, but I have announced that we would adjourn and I don't see the relationship with Miss Haslam's remark and I am not sure I see the connection to our problem, but we are going to reconvene at 2:00 o'clock, but I don't feel that I should hold the people here, having announced

the adjournment, but if you would like a few more minutes ---

THE PUBLIC: I will be very brief. It is simply my view that when you are looking at criminals in general, when there is the present structure of penalty - where the deterent is efficient, that a large number of the persons before the criminal court, perhaps 80 per cent, do in fact, get in the poverty level and they have to be helped at an early sagee, they have to be disciplined in a certain manner to help stop them from getting involved in criminal activity.

Now, I don't think that this area relates to the drug scene. The drug criminals are really - perhaps not even criminals, they are a different element and they come from more segments of society, therefore, it may be that it ought not to be an issue before this particular inquiry.

THE CHAIRMAN: Right. Well, thank you, and I adjourn this meeting now until 2:00 p.m.

----Luncheon adjournment

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---Upon resuming at 2:10 p.m.

THE CHAIRMAN: Ladies and gentlemen, we will now resume our hearing. We have still one or two people who have expressed a desire to address the Commission and I call now on Mr. Arthur Whealy, Toronto Barrister and Solicitor. If you would like to be seated at the table, Mr. Whealy.

MR. WHEALY: Mr. Chairman, thank you for the opportunity of addressing this Commission.

I wish to make some rather broad remarks, but I think that you are entitled to know upon what basis I make them, and if I may very briefly outline my connection with the drug situation over the years, it might be of some assistance.

For six years I was with the Federal Department of Justice in the Criminal Law section, the first five of those years in Ottawa with the responsibility of supervising the prosecutions in all areas of federal prosecution in the Province of Ontario, and one of the areas, of course, was narcotics, and drugs in general. In the sixth year the Department opened its first Toronto office and I came here and performed the function of the Senior Narcotics Prosecutor here, during the year 1966. Since then I have been in private practice and I find, not necessarily by choice, but the vast majority of my practice is

concerned with the defence of narcotics matters.

I have also, outside the legal area, tried to interest myself in some of the other features of drugs, mainly to give myself some understanding of what it was I was dealing with in the Courts. It is from that background, therefore, I wish to make the remarks I now will make.

The first point I would like to make, and perhaps before I start, again, I should make this comment: Much of what I am going to say may be repetitive to things that have already been said here and for that I apologize, but if I leave them out, perhaps the remarks that I make will be out of context and I think that is important.

The name of this Commission, of course, is the Non-Medical Use of -- includes the phrase "Non-Medical Use of Drugs" and my point is, in mentioning that, that non-medical use is not the only distinction made from theraputic use; in other words non-medical isn't the only alternative to theraputic, and I think we have to recognize - I think that this morning's proceedings, the only ones I have been able to attend so far, indicate that the Commission is well aware of that.

The other thing that I wish to emphasize is that we have heard a lot of remarks about drug abuse and drug use and they are not the same. I think the point has been made to the

Commission before, but I would like to make it again, that drug abuse is an exaggeration of drug use and much of what I want to say is about drug use and not drug abuse.

Now, one of the first things that we have to recognize with the laws that presently stands, is we have four classes of drugs and we have given them arbitrary labels and I object to it and I think there is no logical basis for it.

We have got narcotics, and they are narcotics, because the Narcotic Control Act says they are.

We have controlled drugs that come under part 3 of the Food and Drug Act and they have that label because the law says that that is what they are, and then we have just invented a new class of drugs called restricted drugs, and they have that term again only because the law says they have. There is no logical pharmaceutical or medical basis for the distinctions put between them and, in may respects, they are open to attack for being included in one list and not in the other, marijuana being a classic example.

One of the chief attacks made on it by the (Lemar) adherents is that it is not a narcotic and, therefore, it should be legalized, which, of course, invades the whole problem.

My submission is that drugs should

be completely reclassified, thrown into a pot and then examined on a medical or a pharmacalogical basis and that they should be reclassified according to those that are dangerous and undesirable and those for which there is no evidence of danger, or lack of desire, and that only the first group should be the subject of legislation, whether it be criminal or other than criminal.

An example of what is wrong with this present labelling system is that in the controlled drugs, we have amphetamines and methamphetamines which are in common use by prescription to our legitimate drug outlet. They are unquestionably dangerous, I wouldn't begin to suggest that they weren't, and then we invent a new group of drugs called restricted drugs invented this year, including LSD, with other similar drugs, and we leave out LSD and mescaline, we have common characteristics. I don't see any logical basis for inventing three kinds of categories and putting some in one and some in another when no one on any rational basis can distinguish why they are in the particular category.

So I would urge this Commission to adopt a completely fresh examination of (a) the classification of drugs, and secondly, having decided some drugs are undesirable, let us ask the next general question: Is the criminal law the place to deal with that undesirable drug? In other words, what is the history to legislate

against the use of drugs and how is it to accomplish it, and the next, is not the criminal law the last resort we are dealing with and not the first?

Another thing is that public attitude has become rather polarized. Perhaps because of press reports we have a traditional view which was presented according to reports that I have read, the hard-line approach, stamp out at any cost, which was presented here by Assistant Commissioner Carrier of the R.C.M.P. We have, perhaps, the opposite pole, people who would, on a moral basis, or a pseudo-moral basis, throw the door of self-indulgence, indulgence in any kind of drugs, wide open and let anybody destroy themselves in any way they see fit. Surely the truth lies somewhere in the middle. And if there is a truth, and if it does lie in the middle, where is the evidence of it? Where is the research being done?

I went to Ottawa not long ago and participated in a TV panel with the Honourable Mr. John Munro , Minister of National Health and Welfare, and he confirmed to me something I had known for some time, that there is absolutely no permission being given by the Federal Department of Health, for the use of marijuana in genuine research, there is no ministerial permission. There is legislation that does permit it, but the Minister is just not issuing any permits for genuine research in this area and I think this is

1 shocking, just shocking.

2 All our research in Canada

3 apparently is being restricted to questionnaires

4 being sent around by various agencies, questionnaires

5 that are highly suspect because (a), you don't

6 know how long the answer is going to be, you

7 don't know how your sample is going to be, you

8 really have no control over the kind of answer

9 you get back and then you have to try and use

10 your own judgment as to how you wrap them up

11 and count your results, and I think that is a

12 pretty poor basis upon which to base legislation.

13 I object to that and I think the Department of

14 National Health and Welfare is grossly negligent

15 in asking us, and you, to make recommendations to

16 parliament when they won't even let you do the

17 basic research that needs to be done.

18 Now, there is some good work being

19 done in various places, it is small work and it is

20 not widely publicized, the American Association

21 for the Advancement of Science publish a bulletin.

22 I subscribe to it and I haven't seen it advertised

23 anywhere. One purports to show the effects of

24 marijuana on a driver are far more serious than

25 a person taking alcohol. Whether or not it is

26 a good report, or whether it should be seriously

27 considered or not, is not the burden of my remarks,

28 the fact is, who is looking at it, who is collecting

29 this evidence and who is using it?

30 Now, my personal experience in

the area of drug abuse, particularly psychedelic drug abuse, persuades me that there is an entirely different part of thepublic involved in it from the traditional, or common area of criminology. Indeed drug abuse, I think, is at least partly recognized as being a middle class crime, as distinct from any other kind of crime. It requires money and it requires freedom of action, and this, apparently, is a middle class crime.

Now, these same people that are being made criminals or are becoming criminals by virtue of our process of the law, are not in any other way regarded as criminals. They are not the people who support their habits through theft, or through breaking and entering, or through possessing stolen goods or hustling on the streets to prostitution and this kind of thing. There are a few, of course, but basically, I think my proposition is correct, certainly my experience persuades me it is correct, and yet we treat them as harshly, if not more harshly than we do the people who are involved in what we call the traditional kinds of crime.

The differnnce, the gap between these two groups, I am persuaded, is closing and the element that is closing the gap is time. If we argue about this for another five years we will find that events will have overtaken us and that many of the young people who have been driven into the criminal world by virtue of

their association with drugs will find themselves working with those who started in the criminal world in the other era through theft, prostitution, disposal of stolen goods and so on, because it is the only way that they will ever be able to economically survive and keep themselves going in their drug world, their chosen world.

So, I think time is of the essence here.

Now, with great respect to Assistant Commissioner Carriere, I challenge his right to make the kind of statements that he did before this Commission. He will carry a great deal of weight, he is entitled to a great deal of respect because he is a senior public official in the senior police force of Canada, but he choses certain statistics, he makes certain statements and I would like to look behind them for a moment and I suggest to you that you should look behind them to find out whether or not they should be taken at face value.

Let us face the fact that the senior officers of the Royal Canadian Mounted Police, or any other police force, gets the reports from the constables on the beat, through the corporals, the sergeants and the inspectors, and the basic material Assistant Commissioner Carriere is relying upon is the information supplied by the constables out on the field and, surely, they are not the people to assess, and that's what he was

presenting here as an assessment, they are not the people to rely upon for the fundamental information or assessment value that we got through Assistant Commissioner Carriere's mouth.

Let me point out a couple of specific instances. For instance, the R.C.M.P. Commissioner Carrieresaid that there were 60,000 users or addicts in the psychedelic drug area of Canada. I challenge that and I dispute it. I would say that 60,000 would be from Metropolitan Toronto, that it might be a low figure in Metropolitan Toronto and that in the country at large it has got to be a much higher figure.

Just in the group of people that I meet in my practice, I am satisfied I know, or can reach about 10,000 users in Toronto alone and I don't have any monopoly on drug cases in Toronto.

The other thing is that 60,000 users is an arbitrary figure and there is nothing to back it up. The Commission, I am persuaded, has no basis for accepting or rejecting it apart from the person it is presented to. The 60,000 users, however, even taking that figure as accurately, is an interesting figure because if you add up all the arrests in marijuana and hashish in Canada for the past 5 years, you will come to a figure of roughly 10,000, so if there are 50,000 people that Assistant Commissioner Carrierehas persuaded us are using these drugs, they have not been arrested and if 50,000 people are not causing us any particular

harm, I am persuaded, I do not find these other people in other areas of crime and I am wondering if Assistant Commissioner Carrierecan, with these figures out of his own brief, come to the conclusion that marijuana, the drug that he picked out, should be stamped out at all costs. I just don't think his position is consistent.

He has suggested that marijuana leads to heroin and I think he is fairly persuaded of his view. I think he has spent considerable time trying to persuade you that you should take that view, and at the same time, he tells us there are approximately 2000 heroin addicts in Canada and that the population is not only under its control but that it exists.

So, I suggest, where is the evidence that marijuana leades to high drugs and where is the evidence that these figures should be accepted? Indeed, where is the evidence that Assistant Commissioner Carrier has assisted us with his statistics?

Now, the area of the evidence going to the health or lack of health these drugs induce in individuals, is at best, sparse, and I have already remarked on the research and I won't repeat it, but I think the overwhelming evidence with respect to marijuana, is that it is practically harmless, except in perhaps secondary social effects.

My submission to you is, and I think

you have heard this often enough to say it is accepted, is that the potentially most harmful drugs are speed, amphetamine, methamphetamine and drugs in the lycergic acid group. And yet the enforcement policy, perhaps not by design, but certainly the effect is that they have driven marijuana off the market and I suggest this is because marijuana is bulky, and it is smelly and it is easy to identify and it is hard to move around. It is like the farmer trying to sell hay instead of grain, and it is easy to catch. So the police have concentrated on it with the result that there is a famine of marijuana around right now and when it is potentially not very harmful, with the result that the drug user, not the abuser, just the user, that all of the drugs they have turned to are more harmful, and I don't think the enforcement policy is worth a dime. It is effective, but I don't think it has done anything for society or anything for the people that are involved in it.

There is a very plentiful supply of speed around and it is mixed with all kinds of things - strychnine and heroin and anything the manufacturer happens to put into it, and all kinds of impurities, and we know from the statistics at the Ontario Hospital, and from what Dr. Bill Clement told you, that this is a pretty serious problem, and we very often don't even know what this poor kid coming in has got

in his system.

THE CHAIRMAN: Excuse me, Mr. Whealy, if I ~~might just~~ stop you for a minute there: How could the Commission effectively go about trying to establish whether, in fact, there is this relationship between the drying up of marijuana and apparent increase in the use of other drugs, these more dangerous drugs? How could we provide an answer to that question in your judgment? You are close to the problem.

MR. WHEALY: Well, it is easy to criticize and suggest the reasons, but let me say this: If the moratorium were to become this Commission's recommendation to the government and they acted upon it, that would be one of the obvious ways; in other words, the availability of marijuana would not be under any particular inhibition. The people who are presently on speed and other things might very well return to marijuana, or you may find in another area, with the group that is young and is still on marijuana, and not persuaded to try other drugs, might not go and try the other drugs.

My evidence, and the basis upon which I make my submission, is that you have a flow of clients through your office, you have a flow of their friends and they become witnesses - a family and so on. And this is the constant comment, "We used to be very happy with marijuana. We can't get it now, but we are going to have the

1 party anyway, so we are going to have a little
2 speed, or whatever we can get". And very often
3 they will have a party with whatever is brought
4 to the party, and they don't particularly care
5 what it is.
6 Now, if this is a result of police,
7 or deliberately enforced policy, I say it is
8 undesirable. If it has nothing to do with the
9 enforcement policy, just the indiscriminate kids,
10 then I don't think it should be subject to the
11 criticisms I have levelled against it.
12 If the moratorium, to answer your
13 question further, is not recommended, or is
14 recommended and they don't act on it, then I think
15 you will have some difficulty in either proving
16 or disproving the thesis I put to you. You are
17 left with the questionnaire basis, you are left
18 with sort of imperical evidence by field workers
19 who may work themselves and may have biases in
20 the area.
21 Now, I am talking - I have talked
22 about marijuana and I include in my remarks, hashish.
23 I don't know whether hashish is any more harmful
24 than marijuana, notwithstanding that a pound
25 of hashish will give you four times the effect
26 of the pound of marijuana. It is a bit like the
27 alcohol and the beer drinker. If you drink alcohol,
28 you take an ounce; if you drink beer, you take
29 8 ounces, because that's what comes in the bottle.
30 The people who are using hashish, in my experience,

are taking a smaller amount of hashish and they are only trying to get the high.

So, in practical terms, I think that marijuana and hashish are the same.

I think the Commission has been persuaded, and let's accept, that there is a large number of people using drugs and I don't like the term "Hippies" and I refuse to use it as a descriptive term, because if you identify a Hippie by his hair and his clothes, then you are leaving out probably two-thirds or more of the people using marijuana and hashish.

My point is that if the recreational use of drugs is effect, then it is quite obvious that our criminal law sanctions and our criminal law process, have been totally ineffective - completely and utterly ineffective in either controlling it, slowing it down, or really having any influence on it.

Five years ago in Toronto there were only 12 arrest for marijuana and hashish. This year, I am told, it is already over 1500 arrests. But then, have of these gone up or gone down. We've tried suspended sentences, we've tried jail terms. We have tried everything. Are we doing anything more for them but pursuing a policy which is an admitted failure? I cannot answer the question. I can only recommend against it.

I might say, incidentally, that I

don't see any link between the use of marijuana or hashish in the S.D.S, the new left, the revolution in South America or in Israel. In fact I am told that the best marijuana in the west comes from Israel.

Now, I feel that the viewpoint that, from my point of view, as a lawyer, as a member of the Court as a person in the courts, most of my profession and in the court, what concerns me about drug use today is that it is providing a basis for the breakdown of traditional respect of the court system, to the law and to the entire apparatus of our society by which we govern the actions of the individuals by means of the criminal law. Enforcement policies themselves are provided for under police acts, under the legislation making it crime, but in the area of drugs we have one additional feature, we have standing search warrants and all its routes of assistance. We have squads of police in the larger centres who are trained to use, and do in fact use, much higher levels of violence in making arrests and searches and seizures than they would use practically in any other area, and this, to me, is wrong. I don't see that drugs warrant that kind of enforcement policy.

It is one of the features of enforcement that in drug use, the people who are subject to these are inspired into greater

disrespect for the law.

If a man who is the president of a company, would drive his car down the road and, under the influence of alcohol, and get into a serious accident, he doesn't have to kill someone, he can go to jail like anybody else, but the bail magistrate will have him out in about two hours and he is sent home by the sergeant in the station in a taxi. The same man picked up with roach in his pocket already smoked, just the traces, will spend the night in jail. He cannot find the bail magistrate nor can his lawyer find him and he will stay in jail overnight and appear in court as an unattractive looking person, having spent the night on a hard bench.

Now, these are not serious matters, but they are discriminatory and it is the area of drugs that gets the worst side, not the murders or the more serious kind.

The breakdown of tradition for the law makes it very difficult for a lawyer to practice and I am not here to protect my practice, or to protect lawyers as a whole. I am not even here to protect the courts, because they should be able to look after themselves. The reason I am here is that if we don't have courts and a system and respect for it, we don't have anything in our society.

The kids today won't even trust their lawyers by telling them the truth. I can take

a bank robber any day of the week, I can spell out the law to him, tell him what the penalties are and he will tell me to go and bargain for the best plea I can get. He knows the fact and he doesn't try to B.S. me with a lot of phoney excuses because it is an occupational hazard with him. He is a good, professional criminal and he understands the role I play with him or for him as a lawyer.

But the drug abuser doesn't understand this. All he knows is that he has been caught up in a web that, to him, is just plain unfair, sothat I can not even perform the role for him that I can perform for a professional criminal. This is partly his fault and it is partly our fault because we are the people that he thinks are in league, one with the other, in some kind of nasty conspiracy to get him and his kind out of existence, and this is one of the chief areas where respect for the law is breaking down.

Another thing is the inequality of sentences. In B.C. there are three decisions of the B.C. Court of Appeal which, in effect, have said that a first offender who is in the possession of marijuana does not get a six-month sentence. There is an error in principle of the sentence. But in Toronto, if my statistics are correct, last year, out of 170 first offenders, possessors of marijuana, 165 got suspended sentences. I like the Toronto sentences, I think they are more

realistic, given the law as it is. This kind of thing means that if you can lick the offence in Toronto, you do so in relative impunity. If you are committed in B.C., you get it between the eyes.

I had a case in New Brunswick, just by way of an example, where the Magistrate explained to me after court was over that the reason he gave a first offender a two-year penatentiary sentence for possession of marijuana was because if he sent him to a provincial institution, the province would have to pay the cost, whereas, if he sentenced him to two years, the federal government would have to pay for it. I think that is the bottom of the barrel.

These are only some of the areas where there is a breakdown of law. The law itself, and the classification of drugs, does not breed respect.

Therefore, I am submitting that we recognize the situation: Recreational use of drugs is in and that's that. We have to deal with that fact, we can't stamp it out. We have to classify the drugs as to their pharmacalogical dangers and concentrate on enforcement of law against the dangerous drugs but leave people relatively to their own devices in the non-dangerous drugs. Let medical treatment be free of criminal charge.

Even people in drug research foundations cannot get subjects to participate

in their studies because the subjects do not have the confidence that the reaearchers are going to be free from investigation and will be called as witnesses. I think this is, again, an intolerable situation.

And finally, let's be honest. Let's have accurate information. Let us stop treating publicity as research. Let us stop asking the R.C.M.P. to make statements and let us stop asking the Legalization of Marijuana people for statements and let's stop presenting those statements as evidence of the truth or honesty of the positions taken.

Let's have some qualified, scientific research under government auspices or provincial auspices. Both B.C. and Ontario have good research foundations already on the ground just crying for something to do. Let private researchers do it through the universities or through the drug companies, it doesn't matter as long as it is good, and let the information be public whether it suits the position of those in authority or not.

I must say that I am persuaded, after my exposure to this problem, that if there is a choice to be made and only this choice, that we continue the present laws or we remove the soft drugs from any government legislation and concentrate only on the hard drugs, then.

I am persuaded that we should legalize, or remove marijuana and hashish from the Narcotic Control Act and let's not throw it into the Food and Drug Act, that only compounds the problem. Let us totally remove it from legislation and concentrate on those drugs that we have absolute knowledge that they are dangerous. No compromise is going to solve it.

I have never taken this position publicly before, I have always been intent on moving it into the Food and Drug Act, but I am persuaded there is no compromise, it isn't going to help anything by moving it into the Food and Drug Act.

THE CHAIRMAN: Excuse me, Mr. Whealy, do I understand that you would advocate removal of marijuana or hashish from all legal regulations and you wouldn't be concerned with quality control or control of avilability at all?

MR. WHEALY: I wouldn't go that far. What I am saying is that it should be removed from the schedule of the Food and Drug Act, that entire section 3 of the schedule concerned with cannabis.

Now, if it is made pursuant to the subject rules of section 3, that there must be a minimum quality, there must be proper labelling, I couldn't possibly object to that, but what I am saying is to take it out of the criminal law area, totally.

The unfortunate part of it is that most of the people who are advocating the legalization of marijuana, the spokesmen are suspect in the eyes of the public as a whole, because they have an axe to grind. It doesn't make the truth or their submissions any less valid: It just means that they aren't taken as seriously and I hope by saying it myself, having been both on the Crown's side and on the defence side, and being a member of the square society and never having tried marijuana myself, maybe I can give some respectability to the submission that marijuana not be continued as a criminal offence.

I think the Commission, and I recommend to you m0st strongly, must be courageous to weed out the emotion, bias and the rhetoric from all of the decisions made to you and relying on the scientific, imperical and logical information that you are able to garner from it because otherwise, this commission also will go down in the annals of rhetoric, bias, or ineffectiveness.

Time will pass and we will have a much worse drug situation under the existing laws five years from now than we have today and it is much worse now than it was five years ago.

I say that if, five years ago we had this Commission, we might not have today's problems.

If, however, and I recognize this

most strongly, if this Commission recommends, and the government accepts such a recommendation, that marijuana and hashish be removed from the area of criminal law, subject to some other form of quality control, et cetera, or not, you are going to have to face the fact that a large part of the public, particularly in the smaller communities, may not be geared to accept such a decision, perhaps out of lack of knowledge, perhaps out of religious position or cultural background, public acceptance of major change comes very slowly and there has been 40 years of build-up of emotions and bias treating drugs as a very horrible situation, and I think that one of your chores will be, if you are prepared to accept the recommendations that I make and have been made here this morning, you are going to have to find a way of acquainting the public with the basis of your decision and selling them on the idea that it is good.

Our society seems to be geared to change only out of agony. We must have the agony first and the change later. I think we have had the agony here, but I don't think that the public is necessarily ready for the changes that I am recommending.

I would just make one final comment on the issue of the moratorium. It is my understanding of the legislation that a moratorium could only be accomplished by an act

of parliament repealing some part of the law as it now stands and I don't think that parliament will be prepared to act on that basis until this Commission has reported and the whole point of the moratorium is to get it going now and get the Commission report later.

In my respectful submission, there is an insoluable and practical difficulty in having that solution, much as I think it has merit.

I have no further submissions and I would be pleased to answer any questions that you might ask.

THE CHAIRMAN: Thank you very much, Mr. Whealy.

I wonder, dealing with your point on the absence of research, assuming that this Commission came to the conclusion that there was little or no evidence about long-term affects of persistent use of marijuana or hashish, at least evidence that could be relied on at all, or applicable to Canada, and yet it was faced with statements that there may be - simple statements there may be risks that you don't know about, what is your approach to that kind of an uncertainty, how do you think that is handled, a public policy point of view?

MR. WHEALY: I think it is a very difficult question, Mr. Chairman, and I would say that the Commission, having the responsibility

1 of making recommendations, has to be extremely
2 cautious in accepting what appears to be a very
3 popular view. if you have evidence to lead
4 you to the belief that there is some danger in
5 accepting that popular view. But that is an
6 assessment for you and not for me.
7 I would only say that you have
8 the responsibility of exercising that caution
9 and it is a heavy responsibility.
10 THE CHAIRMAN: Well, how would you
11 balance the consideration of that unknown risk,
12 if any, against the effects of a criminal law
13 treatment of the problem, such as we have today?
14 What would be your personal approach as to the
15 balance of those two things?
16 MR. WHEALY: Well, perhaps I have
17 made my recommendation because I am unaware of
18 any significant evidence of long-term affect,
19 even anything that would cause you to have grave
20 doubts about the safety of marijuana.
21 Now, if I happen to be ignorant
22 of something that you know about, I have to
23 accept the evidence that is put in front of me.
24 My feeling is that you don't have such evidence.
25 The Vietnam study, I think, as Dr. Lehman put,
26 it has got to be reviewed with great care to find
27 out whether the soldiers who took it had the
28 propensity for mental breakdown on a higher scale
29 than the others who didn't take it, or whether the
30 marijuana caused it. I don't think that even that

kind of evidence, though, should be weighed so heavily that you wouldn't take the chance of trying to cure a much more serious drug problem of speed and LSD, amphetamines and so on, by a moratorium, or something like that.

THE CHAIRMAN: Dr. Lehman?

DR. LEHMAN: I wonder if I might elaborate a little on the research angle. You said before that we shouldn't take publicity for research, referring to the R.C.M.P. report, and other publicity. Of course, that goes for both sides and as you just mentioned, it is a very popular notion now that, of course, marijuana, hashish, have no long-range affect. It is ridiculous to make a mountain out of a molehill and there isn't such a thing and everybody knows, of course, that there are no bad effects.

Well, this isn't research. Now, there happens to be some evidence which is not particularly convincing, but quite suggestive, good research evidence. For instance, a paper last February of a psychiatrist, Professor at the University of St.Louis, a long-range study on people who had used marijuana for five years, two controlled groups, that is, one controlled group, people who were drinking and had the same -- and were -- their intelligence and their educational, occupational level were roughly about the same level as those who were taking marijuana, but the others were not.

1 Anyway, comparing these two groups
2 over 5 or 6 year periods, it was found, quite to
3 the surprise of the researchers who expected not
4 to find this, and they were quite honest about it
5 and were quite dismayed, but they did find that
6 the marijuana group had significantly, statistically
7 significantly lower occupation achievements, much
8 higher instances of marriage discord and family
9 trouble, and also a lower educational level.
10 There were more drop-outs. This has been found
11 by several researchers and investigators too, that
12 children or youngsters who do regularly take
13 marijuana have a lower achievement scholastically
14 than others.
15 Now, how important this is is a
16 different story, but there is socially - perhaps
17 one can argue "Well, it is just as well if they
18 don't go to high school and get out into the world
19 earlier", but this is another matter.
20 Only the research evidence is by
21 no means clear about long-range effects of
22 regular taking of marijuana, so that, therefore,
23 one should not take the popular opinion from the
24 researcher's point of view, well, research.
25 Another thing about - you mentioned
26 the people and driving. Sure, they showed
27 quite convincingly that alcohol was impairing
28 driving much more than marijuana, only alcohol,
29 they gave a large dose and it was because of the
30 quality control which the government exercises, the

dose was well defined. They knew exactly how much alcohol they were giving. They did not know how much marijuana they were giving because they had no quality control for the cigarettes these people were smoking.

There has been a lot on it, very likely very much less than the amount of alcohol they were giving, so you can't compare it with bananas, or something.

MR. WHEALY: I have the research paper on the marijuana and alcohol driving control in my briefcase and I will be pleased to give it to you because they did control the marijuana intake in this particular paper.

DR. LEHMAN: In this one. Well, the one that was in the science -- let me just make one further remark about the research which is so very exasperating, the impossibility from research on the marijuana question here in Canada, and I think you should see this, everyone should see this in the larger context.

A lot of researchers in Canada are, and have been, exasperated for a long time about our food and drug laws which are more cautious than the ones in the States. This was long before the marijuana issue came up. And there is, by law, no possibility for any drug investigation to be carried out until and unless the government is satisfied that it has full description of the quality control and the probe, the

way the drug is produced. Otherwise the drug that in the States may be already on the market will not be allowed for research here in Canada.

Now, there is no way of getting marijuana with a full description of how it is getting produced and for quality control. Therefore, by existing law it is impossible for the Food and Drug Directorate to give permission. So this just isn't a discrimination against marijuana, this is simply following up on the law.

MR. WHEALY: May I just make two short comments and then I will get off the air.

First of all, in 1964 the federal government did a study with LSD among volunteers in the penitentiary in Kingston, so that they honoured the law and its breach on that occasion, if what you say is correct.

The other thing is surely this Commission can deal with that legal impediment about research in one blunt sentence. There is no reason for that kind of a law and this Commission should be very vocal about it. If that is the law, and I wasn't aware that that impediment existed, it is just plain stupid.

DR. LEHMAN: It was introduced because of public outrage after the thalydamide tragedy. This was the only reason that the law was introduced.

THE CHAIRMAN: Thank you very much,

Mr. Whealy, a helpful submission.

---(Applause)

THE CHAIRMAN: I would like now to call upon Mr. Jeff Samuels who has something to present to us.

MR. SAMUELS: Thank you very much. I would like to start off by making a few qualifications. I don't come in front of this Committee with any kind of mandate or any real credentials. I think there are some issues which have to be addressed to this Committee that, in a lot of respects, haven't been addressed. I am very happy to see that a lot of things that wouldn't be addressed, a lot of mythological points, have been taken. In that sense, as other speakers may have said, I might be repetitive, but the position is so broad and so difficult that I hope you will ignore any repetition I may take part in because I just have to have some sort of context and go through the context, step by step, in order to keep everything straight.

I come here in a certain sense, without any authority as a commissioner from another world. I think that the Committee, although it is working very well and very hard to not get into this position, in some ways, is like the American in Europe . . they are dealing with this problem, because what I want to establish, what I

would like to speak shortly to, and what I could speak forever on, is the fact that there is another world in a great number of aspects, and that the problems are addressed in terms of a New Yorker constantly referring to New York when he is in Europe, it becomes very difficult for the people who are in Europe to relate to that person.

Somehow, I thought for a great long time about how many in this room admitted that world could be introduced and I could not think of a way that that could be done without risking all sorts of funny threats that that could be done, but hopefully, the Committee will be able to get some sense of that.

I would like to just read a little thing, and it may be presumptuous of me to try to be literary when I am not a poet or an author, but to give some sense of what the world is like:

"At the top of the mountain you
could see down the hill to the lake.
the wild swan floating at its edge.

We sat in a circle
at the crossroads of the path
we had come up and the path leading
to the crater lake;
Each of us receives a blue capsule
which we wash down with the
ceremonial beer, and together
the four of us walk down the hill

to find a good home base -- under a tree beside the lake where we will wait for this all too beautiful scene to become even more so.

Walking through the under-brush on trails which sheep take. Found well on bushes, and spoors.

We are sheep, sure-footedly making our way, along the rock's edge.

Down through the marshy valley where the bullrushes have poison tips, and in abandoned feed sheds. Haunted. Climb the cliff to look over what must be the promised land.

Fields out of a cross-Canada photography book. Along with the appropriate house and barn stretch out on a side of the island. Unknown to us.

Walk back up the marsh, back to the lake where Ellen has run ahead.

There is nausea down there in that faraway place which my stomach inhabits. I know it is there. But it isn't my stomach and it isn't my nausea.

There is no time - it could have been seconds. Or it could have been days ago. It was just some time back then and that is all you know.

From the outside, it's one of those leaden days. And sort of a soundproof one.

Your ears are plugged like in an airplane. And yet you can hear better - - at least different.

But, don't get me into one of those trains. They are heavy trips and very difficult to get off.

Walking up to the lake, the music of Ellen's flute floats up to us across the pond.

There beside that rock is a pile of bones. It is terrifying, but don't run.

Look close at a skeleton of a sheep who lay down here, a long time ago. Vertebrae are faces, and the pelvis is a shaman's mask. Good enough to conjure up the fine fellows who wore them.

Pain is starting and we are going back to the cabin.

Even the islanders will be more than we can cope with. There will be dinner and our stomach is not here for us to eat.

And to tell is more than we can begin to try.

I am not ready to go and I can't let this come to an end.

I want to run back down the hill.

Back at the crossroads, I am like a child who won't leave the park. At the end of the day.

But this child does not fight with its mother. It fights with its big-boy self.

The two of them battle inside my soul.

(Page 109 follows)

1 That experience is the kind of
2 experience that the language does not do justice
3 to because the same language could be used
4 for experiences that happen straight, without the
5 aid of drugs and would be very different, and
6 there are unique experiences.
7 The one point I wanted to make
8 is that there are very unique experiences and
9 that those unique experiences provide the basis
10 of a language , almost an entire dialect of
11 English and of a world - - and that it's
12
13 within that world that a great, great deal takes
14 place which this Committee must understand.
15 I would like in some way to give
16 a little bit of pseudo-anthropology, anthropological
17 study of that world to say something about that
18 world, some observations that I have made which
19 are open to argument.
20 What I would like to see is that
21 the argument is open about that world and that it
22 take place about that world, if it is possible.
23 To talk about that world, I would
24 first have to talk together along with the people
25 that inhabit it, some of their ideals, some of
26 their values have to presuppose certain
27 answers to certain questions which may be
28 imperical questions, but I just have to do that
29 in order to talk.
30 I want to point out, first of all, the

very most important point and one of the points aside from the uniquness of experience that I wanted to get across and the kind of description of what was a mescaline experience, that drugs are fun, they are a delight, they are enjoyable, they can provide and do for a great number of people, fantastic experiences. And like all other things which are a delight and which are fun, they can be pursued to the exclusion of other things and thus become a preoccupation.

But, as I think it has been mentioned several times here, not only are there good drug habits in the sense of use and abuse, but there are drug habits - it is a sign of character how you use drugs.

Marijuana makes a person child-like. Acid, LSD and mescaline are virtually a ticket to childhood, take them and you are there. They are de-sophistica-/tors, they break down the conceptual structures through which a person interprets or views the world.

The categories which are always perfectly acceptable are now a question of value. Things that you never noticed, or were taken for granted, now jump out to the person, presenting unsolvable, metaphycial problems and every event becomes suddenly deep.

A world where there was, in this room, for instance, an ashtray and a flag, suddenly it is not so obvious that you can just say "That's

an ashtray and that's a tablecloth and this is a table and that is a flag and that we are in a room" - everything is in "effects."

There are a great variety of children but I think there are some obvious qualities of child-like behavious, some things that are - that identify children and I would like to talk about what, the the freaks, childhood is. For a freak, childhool is - - the child that is absorbed in the sandbox, building (candles of ice on the shell), finding each rock or that shell far more fascinating than the last and frustrated only by the lack of proper space from bringing home the entire beach. It is a child's ability to sit on that beach and take a fossil that he will find, or a rock that is just an ordinary rock, and sit there for 2, maybe 3 hours with that one little patch of beach.

It has to be realized that acid, in fact, does bring colours, structures, sounds and intricacies of all of these things which never before have been experienced and the experiences are different than what we often think of experiences, they are not intellectual experiences, they are very powerful, raw experiences and the very best way that I know of describing them are sensual orgasms. And it is important, absolutely important to remember and realize that in this world one of the keys to the world is that people in that world do not have the experiences,

do not go to a movie and have the experience, that kind of experience, but when they have these kind of experiences, they are experiences to which the person gives up their entire selves.

And I apologize for the kind of language I have to use and the kind of ambiguities but this is, essentially, a non-articularable field and perhaps it is absurd to try and talk about it.

I think for the Committee's sake, I would like to talk about who the different people are, what are the different names of these people and what they are about. I don't claim has ambiguities. I don't mean the language has ambiguities, different people use it in different ways, I'd just like to give some meanings that I think are acurate in some applications.

There is a person known as the "Head" and the best way to think about heads is that heads endeavour to pattern their entire life in the model of drug experiences - that every event in your life should be like the experiences that you have when you are on drugs - they should have that overwhelming nature and they should be just that involving.

The ideal is to have one's entire life a trip, a drug trip, but it is to be noted that that does not mean to have one's entire life spent on an actual drug trip, and I think it is important to realize that there are a great number of people - I don't know how many

there are, there are people who have rejected the drugs and yet still are heads in many ways.

Some people don't allow drugs on their commune but in the kind of lives they lead, the ideas they have, they are heads and those demands go into jobs - - that you have to have a certain kind of a job and that you have to constantly surround yourself with the kinds of things that can be done that way.

And that says something for a great number of people who do use these drugs and there is a great distinction to be made.

There are a great number of people who could easily be called the "Jet-Set", who use marijuana and hashish. You see, an interesting confusion, for example - I don't know the facts very well, but this is an example, like the Sharon Tate thing in LosAngeles where there was that murder, the people referred to as "hippies", well there's a funny thing where, it would come a lot closer to the kind of people that would be known as the "Jet-Setter", and who has very little to do with the so-called hippies, have very little to do with the hip world and it is possible to act very differently on these drugs, at least this is possible in the sense that I have run across it, which makes it at least possible - how predominant, I don't know, to treat these drugs differently, to do things that would be patently wrong in the hip world,

very un-cool on these drugs and to not have any understanding of what the hip-world is about - the hip-community.

The most important, and I think the most obvious feature of the hip-world is in some way - the best way, I think, of bringing home this world is - I have been asked by different people "What does the word 'underground' mean in terms of underground music, underground papers, underbround rock?", and I don't think it is a negative thing meaning non-establishment. There is an underground and it is a world with its papers, with its music, with its films, with its language and one of the most important and probably one of the most obvious features of the underground is that it denies the reality of the so-called real world. It's claim is that what you are doing is not real; where you are at in the straight world is not real.

Well, there is a great number of ways that you can get into the underground. The heads and the freaks - - that is not the only way to get into the underground. A great many people, predominantly the heads and the freaks have outwardly rejected the hypocrisy of this world and the values, and the kind of way of life.

And I would like to point out that a lot has been written and a lot has been said about the naiveté of those people, about their ahistorical attitudes and the lack of any so-called sense of reality, the doom that

1 people see in it, but I think it is just an
2 unrefutable fact that that order is morally
3 superior to the ones found in Canadian society.
4 It is open, tolerant.
5 The members of that society care
6 for each other and it is a real feeling in
7 that society.
8 But, as I said, not everyone comes
9 into it that way and not everyone has a full
10 sort of conscious awareness of this notion of
11 community, notions of love, the notion of
12 really caring about each other and really forming
13 a different world.
14 There is a great group of people
15 that are outcasts as much as they are drop-outs.
16 There is a great group of people who have been
17 out of that straight world for a variety of
18 reasons and they, along with the other people,
19 can form a community.
20 This is part of the reason, part
21 of the place - students and political activists
22 are part of this world, very definitely part
23 of that world, and it is not that they share
24 the kind of articulative goals because
25 there could be a great antipathy between the
26 politicos and the freaks. The two views of
27 life and obligations and duties are at loggerheads
28 with each other but there still is a certain sense of
29 brotherhood because they both are on the outside
30 of that kind of community, of the straight community.

Not everyone, though, outside of that straight community, is in the hip community, is in the underground. An interesting example, I think, is if you take a freak on the street you can compare the one who who gets caught up by Christian Evangelists and carries the Christian Evangelists' message to the kids on the street telling them that salvation is to be found within Christian theology, to the person who also gets caught up with the very Evangelist movement like the very Christian people, who also rejected lust and rejected sexual openness. One remains in the undergound, the other is no longer there.

I am going to return to the nature of the culture of the underground, but I want to speak about the role of drug experiences.

Drug experiences, as I have pointed out, break down the conceptual structure, and that is very loose language but I think it is difficult to put it much differently than that. They can be, in that way, the catalyst to the great Ephiphany to see the poverty in the world that the person lives in, because suddenly you realize that what you have been doing - or you may realize that what you have been doing is meaningless, that somehow the goal that you are pursuing is no longer so clearly a goal to be pursued.

1 For many, this doesn't have to come
2 from the drugs, it is there in the underground,
3 in the newspapers, in the music, it is there for
4 reaching out to all of the kids, and a great deal
5 of other people too.
6 But there is, obviously, lurking
7 below this problem of breaking down the structures
8 some very thorny problems because, I think that as
9 well, it breaks down all conceptual structures,
10 it just breaks down everything that is around you
11 so that you are no longer sure of really anything.
12 Everything is subject to this questioning and it
13 is a very difficult thing to live in a world where
14 nothing is real, I mean, how do you cope, how do
15 you decide on what to do for one of the funny,
16 standard sentiments of people living on drug
17 experience, common thing that people experience
18 on drugs is the kind of thing of going into an
19 ice cream parlour or a restaurant, of having to
20 look at a menu. What an impossible thing? There
21 is no way to choose between those various things
22 on the menu, each of them coming out at you and
23 having not criteria with which to choose among
24 them. And when your life constantly becomes that
25 way, it can be overwhelming unless -- and this is
26 the point - unless another posture is formed to
27 life, to living in these surroundings.
28 So that posture is almost institution-
29 alized, there is a posture of the hip-world to
30 account, to deal with non-real events. Its original

purpose in some sense, was to deal with acid trips. How do you go on an acid trip when everything is - when you start to find thoughts hit you that are terrifying, things may be terrifying, something that you thought was there isn't there, it may not be terrifying in the sense that people who think of acid have horrible halucinations, it may be a very terrifying thought because it threatens your life-style or values or just life in general.

And how do you cope with that? Well, you cope with it by being passive to all of it. You cope with it by grooving with it, you just groove with whatever comes along. You know that, well, it's an acid trip and it will go away as long as I just hang in there and you avoid freaking out on acid if you are good at it.

And along with the posture of grooving with things, or being cool, there is a corresponding etiquette in the world. There is a corresponding etiquette of other people not presenting situations to people that will force them into this kind of -- you don't ask questions, you don't say to someone -you don't present a problem to a person who is very spaced on acid, I mean, you are just going to - it is just going to be very difficult and it is not a very nice thing to do. So the etiquette is involved and so there is this whole etiquette and posture of passivity, and part of this posture is part of

giving yourself up to experience. This is what this passivity is, that is what grooving with of things is, it is just giving yourself up to the experience, not being critical, not subjecting yourself to intellectual analysis, just giving yourself up.

The problem, or what can be a problem about that posture, is that it is a difficult posture to take if you are also committed to some kind of hedonous philosophy, because you cannot actively - well, obviously you can't do anything, a vegetable existence or something like that. Well, this is part of the conflict in that world, this is part of what goes on, that there is a need for real fulfilling experiences and that there is this kind of circle, and at the same time - well, let us deal with experiences, with certain kinds of very difficult experiences.

You want to find very invigorating experiences that don't present these problems, that don't -- that aren't going to cause you the agony.

It is especially a problem, well, a person can deal with this world if - I think very nicely can deal with this world, can deal with all of these problems, if he can find work, and I say that with a capital "W", in black letters, underlined, because it doesn't mean what we commonly mean by work. It is something that is commonly connected to what the phrase "thing", "doing your own thing". If you are talented, if you can do

1 leather work, photography, they are the kind of
2 fulfilling experiences that fit very nicely with
3 this world and wilderness communities, that kind
4 of a life presents the same possibilities.
5 It is to be noted, though, that
6 the way a person stays happy, the way a person
7 stays happy with this posture, is if everyone
8 is quite aware of the etiquette, no one is about
9 to freak you out. If everyone is a head, everyone
10 is turned on, which of course means if only we
11 can put acid in everybody's water, and they all
12 would know it, then we would really have a groovy
13 world.
14 That kind of conclusion - and it
15 also leads to very determinate views, because
16 there can't be obligations, so I mean, the
17 attractions, there is a certain - like I don't
18 want to say there is a casual analysis as
19 to why people are interested in Indian philosophy
20 or Oriental philosophy, but there are certain
21 attractions and certain views in Oriental philosophy
22 and Indian philosophy of the determinous views,
23 for instance, that people are pure because it is
24 something they did in their past life and if we
25 just do our thing and be, you know, we will be
26 all right.
27 The problem comes up, the very
28 biggest problem comes up for those people who don't
29 have a thing, for those people who haven't got the
30 talent, haven't got the -- haven't got even the

experience to build that kind of life on, haven't got the maturity to have that kind of life, haven't got, as I said, they aren't together enough to even lead that kind of a life.

For those people there is a real problem, there is a real problem of how to find vitality, how to find a life which has vitality, and I think a great number of things can be interestingly seen in this light, and I don't want to ever say that any of this analysis is - covers the whole thing, but it is interesting to look at things like the interest of a great deal of the hip world in pornography. Pornography and erotica have that kind of vitality and they are interesting in that way.

I would like to get into something that was very difficult at this point and I think you are very interested in - and I say that I am hesitant to get into it because it is such a very big topic and to leave out one thing can confirm you in very bad views of it, but I would like to talk about speed and how high school students get into speed.

THE CHAIRMAN: I wonder if you would mind an interruption at this time to take up one of your points and give an opportunity for a general discussion?

I find that we have come to a point of contact, possibly, with Commissioner Carrière's submissions in this. You spoke of the whole etiquette

and posture of passivity, and in the R.C.M.P. submission they mention at one place, they say:

> "The potential danger of a drug susceptible to abuse does not lie entirely in its pathological capabilities, but rather that problem of drug abuse is one which is manifest in three separate problems: medical, social and crimino-legal."

Social is one of the areas. And then later on, he quoted, with approval, something from, I think it was a resolution, or bulletin of the World Health Organization, describing Cannabis intoxication, and following this there is the following sentence:

> "The harm to society derived from abuse of cannabis rests in the economic consequences of the impairment of the individual's social functions and 'his enhanced proneness to asocial and antisocial behaviour'."

I got the distinct impression from his submission that the force was attaching importance to what they conceive to be this general, social effect of drug use, quite apart from the issues of physiological or psychological effect.

I wonder what the audience feels about

this question? Is this a relevant matter? We are asked to look at the effects. It doesn't say simply physical effects, it doesn't say psychological effects on the individual, it says, by implication as well the social effect, effect for society as a whole.

Is it relevant for us to consider this issue, what is the effect on the general sort of productive energy of society and its ability to sustain itself in a progressive manner, on its creative capacity, assuming, of course, that this population, which is relatively small now, could grow?

Yes, I see a hand at the back of the room. Could you take the microphone behind you? I think you will find it more convenient.

THE PUBLIC: My name is Zoltan Zoboslov, a traffic consultant. I studied law and criminology in Europe and I wonder ---

THE CHAIRMAN: Could you speak closely to the microphone there, if you can, please?

THE PUBLIC: I studied law and criminology in Europe and I am wondering if the Mounted Police is talking about the social problem. At the same time, the Mounted Police is ~~scratching~~ out the dope from young men and young boys and young girls and after scratching out the dope, they are peddling out the dope from Canada to the English Queen.

I am referring to the Food and Drug Act,

chapter 37 of the Food and Drug Act, which says:

"Where a person has been convicted of an offence under any controlled drug say also in respect

and they mean for --

in respect of which the offence was committed and any monies that's seized that was used for the purchase of the control of drug, has to be forfeited to Her Majesty."

Now, in this case, if Her Majesty, or Charlie, or Phillip, is a junkie, they should buy their own dope, why the Mounted Police is pedalling all the dope to Her Majesty?

Now, if somebody selling the dope in Canada, he is liable to 14 years in jail, but if somebody importing or exporting the dope from Canada, or to Canada, are liable to life sentence.

Now, first of all, we have to jail every Mounted Police and stamp out that social problem.

Thank you very much, ladies and gentlemen.

THE CHAIRMAN: Thank you.

Excuse me, yes? Could you speak closer to the microphone?

THE PUBLIC: I would like to submit

one copy as an exhibit, of the Food and Drug Act where the R.C.M.P. is peddling the drugs to the Queen. That is ridiculous.

THE CHAIRMAN: Thank you, very much.

THE PUBLIC: Thank you very much.

THE PUBLIC: The Chairman should speak more to the question that I think was raised prior to that. You were talking about this World Health Organization submission, and I think the question you were raising is whether it tends to make people more of a drop-out type of society; is that not so? I question whether that is not myth.

It seems to me today that it is predominant amongst young people and, excuse me, I believe the lawyer suggested that there is no tie-in between such movements as S.D.S., the new left, cetcetera, and I suggest that perhaps there is. This sentiment was also suggested on the Woodstock Festival from New York, that you have 300,000 to 500,000 people gathered together who might otherwise be out being activists, and I question whether this is not a myth that, in fact, they do go back and they are active in whatever they choose to be. I don't believe that deteriorates from that standpoint, talking about cannabis in particular.

THE CHAIRMAN: This lady, would you like to come to the microphone?

Excuse me, I will call you next

at the back - no, that is right, madam,

THE PUBLIC: I would question you as a government commission. You are going to be the recipient of the taxes which, no doubt, you will have to attach to the sale of marijuana. They are probably receiving marijuana right now at a very reasonable price, now I don't know. Prohibition here was one point and everybody had to resort to being a criminal, so we all know what we went through at the moderation league and so on, in legalizing liquor.

Now, this is a question of government looking into drugs and the sale thereof.

The other thing I would question, from a social point of view: Many of these children innocently involved in this affair, do not realize that China was tainted by the British, as it were, with the sale of opium. If the Communist regime cannot attack Canada or the North American countries through economic means, perhaps they could get us through debauchery.

THE CHAIRMAN: The gentleman at the back of the room?

THE PUBLIC: I think this is a sociological problem. I think one reason that we are involved with amphetamines and drugs, not only young people but middle-aged people, the fact, of our society, the way it is today, but I do think there is a direct relation between - maybe not in terms of a job or going into the hippie community,

but in other ways through the drugs.

THE CHAIRMAN: Thank you.

The gentleman in the front here?

THE PUBLIC: I would like to talk to Dr. Lehmann, especially. I am referring to the point made concerning the St. Louis study, and it was quite a surprise, but then I thought about it. I have come to the conclusion that in the circle of friends that I have, there may certainly be a connection between the social feelings and the drug use or the marijuana use. The way I figured this out is that our society, being highly industrialized, highly mechanized, and providing very few possibilities for creative outlets, is an extremely hard society to live with. Only very few of us are very fortunate to get into professions where we can live up to our creative needs and interests.

As a matter of fact, businessmen are especially under this kind of pressure from our society, basically, dehumanizing society, which will then drive them into drugs, as we have heard, mood-elevating drugs that go under various names.

I would suggest that some members of our society are not psychologically capable of coping with this kind of society and, therefore, drop-out, and only as a result of their dropping out, could go into the taking of marijuana.

Now, possibly it may also be that he is under extreme pressure and I see this with a lot of my friends who are under extreme psychological pressure, trying to see what their mind actually reads like by means of taking marijuana, or even harder drugs, and then find that they are not capable of coping with our society, and at that point, make a logical decision to drop out.

I would think that this would be the logical association between marijuana drug taking and dropping out.

Thank you.

THE CHAIRMAN: Thank you.

The lady at the back of the room - excuse me, I am sorry, the light is bad back there.

THE PUBLIC: I will overlook it, thank you.

I would first point out that the R.C.M.P. is an agency of the Government of Canada, paid as a public organization and the police force of this country could take it upon themselves to do studies of marijuana, drug abuse, and the Government of Canada does not allow itself to do it, until this Commission first came but that is the first point and it is possibly a power struggle which is part of society today.

Now, you made a good point before, I thought when you questioned the effect of marijuana, cannabis, hashish, on the society today, whether

it did not cause drop-outs, whether it did not cause problems, but in the same report, should we not look at the idea of the strain of the society, the economic rush, the pace at which society is set which causes people to have nervous breakdowns to the extent of committing suicide, and is there a suicide rate among drug users that is comparable, and is life not more important than riches and rush and that bustle of the corporate industry which blinds the people under them to start with?

If the R.C.M.P. can check one aspect, if they do have the right of the people, the mandate to do this, they should also be checking the other part of this kind of thing that is happening with industry and the great push, the advertising campaign being conducted to completely fool the people into living off aspirin, drugs, codeine, anything else that can be found on any television commercial at any time during the day, on any station.

These are the things that cause death in our society and insanity, and possible something to slow the pace of our society down just a little bit is desirable.

THE CHAIRMAN: Mr. Stein?

MR. STEIN: I would return to your presentation for a moment. It has been my impression that when you were addressing yourself to us, it has been in the context of what I would call multi-drug using. In other words, inferred, if I have understood what you have been reading to us,

is the position of a world in which drug use, various kinds of hallucinogenic drugs are used - they are interwoven and so forth.

One of the contentions that we have been considering is whether or not, to look at marijuana or hashish as a separate question, and in some cases it has been stated, as a recreational drug - for fun.

Now, I wonder what sort of observation you might have on the validity of separating consideration of marijuana from other hallucinogenic drugs or mood-changing drugs?

MR. SAMUELS: If you were to come to me and ask me - to say you want to do something or feel a certain way, I am not saying I am any expert, but if you were to come and ask me about te differences, I would certainly tell you that you would get a different experience from marijuana and from LSD and there is a difference between that and mescaline and so on - the three of them. So it depends in what context you are talking.

MR. STEIN: The context in the sense that in the moment it is being looked at as a drug used by persons under the age of 35. Is it reasonable to isolate out and consider marijuana usage and its various effects, medically, socially, et cetera, in your estimation, or should it?

MR. SAMUELS: Well, I will give you the long end of it but I don't know if it is the answer to your question.

If I were going to look at the problem of the laws and of police and all that kind of thing, I would just as much want to look at the situation in 1955 where all that were getting the hard end of the stick were jazz musicians and junkies on the street, and I think this Commission had the same validity then, and it was needed as much then as it is now. And in that sense, in that time, there is no distinction between the drugs and the problems in legislation and what you are doing and that kind of thing.

But for a social situation and different uses of the drugs and what good drug use is, and what the criteria of addiction to drugs are, of course there is a distinction between the drugs; they are different drugs.

But I have difficulty with your question and I think the reason why people have been distinguishing marijuana from other drugs is that a great number of people use marijuana, including the so-called straight world, use marijuana.

THE CHAIRMAN: Is there a significance -- I understand the question - is there a significant relationship between marijuana and the other drugs, any significant or relevant relationship, for the purposes of this Commission, between marijuana and any of the other drugs?

MR. SAMUEL: All right. I have never met anyone, nor have I ever felt in myself any cravings like my cravings for hunger or for any other - for any of those drugs, nor have I

ever met anyone who took marijuana and then craved other drugs. It is like having Greek food and somebody says "Here, try Italian food, it's also good". That is the way people get into different drugs.

THE PUBLIC: The question has been raised concerning the social and economic aspects as far as this whole inquiry. From what we have heard, the predominant users of drugs seem to be the youth and in the 16-17 year age bracket, who come, in general, from middle-class homes, and have been used to an economic level in which they will have to remain in school and at home for another 6 to 8 years. So that their educational level will reach the position where they, too, can enjoy the middle-class way of life. Pity these poor kids. They have rejected the institution of my father. I have teenages. I swallowed this institutuion wholesale, as my generation did. The kid has rejected completely or almost completely, those institutions, yet he has to remain with his parents for a period of years. I pity him. So he turns to other things. He can't even drop into our economic society until he is 25, and yet we have heard that drug usage from the age of 25 is not a major problem, and then we take him out of economic society at the age of 60 - we retire him. So he has got a small span of time to work and then the job itself, the actual number of hours that he spends on his job

in the next 40 years, will be decreasing year by year. We started out with a 60-hour week and I would like to find an employer who can get somebody who will do more than 30-hours a week today, and we are going to have a progressive situation.

So, if the problem is that those who take drugs will drop out, what is the big deal? We won't even let him in, and when he does come in, he can't stay long.

THE PUBLIC: I think it is a relevant question to consider the effect of drugs on society and would that not come out ---

THE CHAIRMAN: Could you speak a little more closely to the mirrophone?

THE PUBLIC: It is a relevant question to ask: Should your Committee be concerned with the effects of drugs on society, because I think many, many people, this is just a start. Most of us have been brought up - our instincts are for living in the kind of society and environment in which we were brought up. However, if you were to recommend that government bodies and private people be able to do research, would not some of this ambiguity and the unknown factors be somewhat resolved if you were to allow some reaearch? It would come out. I would like to suggest to the man who has been giving the report - I am sorry, I have forgotten your name - but I work with children and they are high,

know that they are high because of themselves and this is what--I think this is one of the relevant questions that people who don't use drugs wonder about, that when you are high, who are you? Kids are high because they are themselves, they are kids, and this is a question that people wonder about.

MEMBER (MR. SAMUELS): I would just like to speak to the question you raised about how you make the distinction between marijuana and the harder drugs and it seems to me that there is a valid distinction to be made; I mean, I think that one can behave realistically, observe and notice that the effects of marijuana are different than the effects of LSD and these other drugs, and I think the consequences for noticing these differences, and the differences in the kinds of problems that result, are that there should be different treatments directed towards people who have had problems on those drugs. But that does not follow from the fact that different treatments are appropriate, that one should treat them differently as before the law, and I think that as before the law, marijuana users or like heroin users, should not be treated any differently than marijuana users. I would like to see them all legalized and then put under government control. I think that is a more sane way of doing it.

THE CHAIRMAN: I don't think it is

the problem of spotting differences at this moment it is not as much concern to us as whether there is a significant relationship; does one lead to the other, as someone has contended?

I think we have heard a good deal of evidence about the differences but there is this contention that one does tend to lead, or predispose to the other. However, I don't know if we can add much to this at this time.

There is a lady at the back of the room.

THE PUBLIC: I was just interested in your question a moment ago about the social aspect. It never occurred to me that the social aspects would not be part of the concern of this Commission. If there is any question of it, I wonder - I misunderstood your question. Is there any question about that?

THE CHAIRMAN: No, I don't think there is a question in our mind, but I am interested - we are interested in the views of what our task may be. I mean, we have to interpret, we have a responsibility of interpreting our terms of reference at the end of the day, but it is valuable to have opinion to confirm our own view.

Now, I think we believe that effect must be considered in its broadest implications.

THE PUBLIC: If I speak somewhat haltingly - I will repeat that. I did not come

prepared to speak so I will have to ask the audience and the Committee to indulge to me if I speak haltingly. I think I am speaking, not only for myself. I speak for at least 14 people who were arrested yesterday and the day before on charges of having, or selling drugs. One of them is Marshall McLuhan's son.

I don't see the point of putting Marshall McLuhan's son in jail today, or I don't see the point of arresting all these people, especially when this committee is being - is holding its deliberations.

I don't know who that man is taking my picture but it scares me, and so do all the other people who are taking my picture, believe me.

THE CHAIRMAN: Excuse me, just a minute. Don't take that picture, please.

THE PUBLIC: I would like further to say ---

THE CHAIRMAN: Excuse me, would you just wait, please. I would like to deal with this incident, if you don't mind, in accordance with what I understand to be your wishes at the moment.

Now, we asked, when we were at the University of Toronto, the whole of the press were there, and they respected the wishes of students who did not want to be photographed, and I don't know - I see some dissent at the press table and it may be - certainly, whether it was the whole of

the press that was there or not, those who were there respected the wishes. Now, certainly, this is something which I think ought to be done in the spirit of this inquiry and we do, indeed, control this room.

Have you taken that picture?

PHOTOGRAPHER: If he didn't want his picture taken, he should have said so as he stood there.

THE CHAIRMAN: You were told before you took that picture.

PHOTOGRAPHER: I wasn't at the University of Toronto yesterday.

THE CHAIRMAN: You were told, asked not to take that picture before you took it.

PHOTOGRAPHER: I had the camera on constantly from the moment he started speaking.

THE CHAIRMAN: Well, I will ask you to leave the room, please, because we control this room. You can erase that, and it is a matter of public record that you took that picture when he asked you not to.

I will ask you to leave the room, please.

Will you now continue?

THE PUBLIC: I thank the photographer for making my point so obvious, at least one of them.

Now, the point I would like to make is this: It seems to be slightly incongruous - I

speak to you as the government, although you do not represent the government. The government's first task is to assure that people are secure, that people are not molested by anybody, especially by the government.

Now, I will ask you, do you consider this to be logical to be saying, in 1969, if I were to describe me and my family as Roman Catholic, that is to say, if I were to say "I belong to a religion in 1969, minus 33 or so years old" and using that guise I would give an intoxicant narcotic to minors under the guise that it represented, or was the Body of Christ, and/or God, you would not only agree, you would wholeheartedly support my right to do so. If I were to give wine to a 13-year old boy at his Bar Mitzvah, you would certainly agree that I have the right to do that. Now that religion is perhaps 4000, perhaps 5000 years. It is unfortunate in Canada the constitutional structure does not allow, at least insofar as I can determine, people to appeal these horrendous drug sentences on the basis of there being a contravention of basic religious rights of every human organism on this planet in the year 1969.

Now, there exists in the United States of America, such constitutional planks, such avenues, they have in fact allowed 250,000 human beings to use peyote - which they say happens to be Christ, or God--which I say happens to be

Christ or God.

I would ask my government, please, to allow me to teach this to my children just because they allow Roman Catholics to teach whatever they teach their children, Jews to teach whatever they teach to their children. I am a member of the Native American Church, a church which is older than the Roman Catholic Church, which is 1969 minus 30 some-odd years, and older than the Protestant Church, which is from 1600-some odd.

Thank you.

THE CHAIRMAN: Thank you.

The gentleman in the back of the room?

THE PUBLIC: Mr. Chairman, you asked this group who are here in the interest of your proceedings, whether marijuana and hash could be isolated from the remainder of the hard drugs, and I would assume that it would be the responsibility of the audience to give your Commission adequate responses from which you can draw your conclusions.

Yesterday the Rochdale group, a very intelligent, well thought-out group, represented by the Chairman of their College, backed up by their Secretary-Treasurer - police officer, if I remember rightly, cam prepared to say that through their experience over the last 4 or 5 years since their College has been founded, that they went through

1 the total drug experience, and through their
2 own police action they found it necessary to
3 retain to the best of their ability, the use
4 only of marijuana and hash, and to outlaw to the
5 best of their ability, speeds, LSD and the other
6 hard drugs.
7 They made the point that, by
8 actual experience, that the hard drug situation,
9 and I have my notes and I will just quote a few
10 of them:
11 "Speed kills. The average life
12 4 to 5 years for the speed freaks.
13 LSD destroys the mind."
14 - and many, many other examples.
15 They also claimed that marijuana
16 was not addicting and their presentation to you
17 was that if you can legalize marijuana, it could
18 be the answer which would refrain others from using
19 the harder drugs.
20 However, the only illogical point
21 that I sensed was, they claim when the supply of
22 marijuana and the supply of hash dried up, that
23 it forced the users to depend on the hard drugs,
24 and therefore, the incident of hard drugs climbed
25 drastically, and that is the reason why we have
26 this very serious problem today of the speed freaks
27 and the very serious deteriorating effect, the
28 murders and the suicides, they are high incidents.
29 Now, I remember, I just heard the
30 brief, I didn't study the brief, but this was the

sense that came through to the audience. My question that I think, should be answered from people with experience or people from knowledge, is this - - which is the question which I think you are asking: Is there a dependence on marijuana, does it lead to the use of others, and can it be isolated so that you can treat marijuana and hash in one category and drugs in the other?

I think if we could get some answers from this group, and perhaps from other surveys that you are making, that it would go a long way in helping you to come to some of your conclusions.

Thank you.

THE CHAIRMAN: Thank you.

THE PUBLIC: I have a specific answer to that bugaboo of marijuana leading to harder drugs.

I have had a longtime experience with people in all categories of drugs and it comes, very plainly to my mind that the reason you turn to something else after trying marijuana, is simply that you didn't find marijuana doing the job that you wanted.

The drugs that hard drug users will use when they cannot obtain heroin, will be barbituate substances, alcohol, they will even prefer a nicotine cigarette when offered a marijuana cigarette while waiting for their fix.

Thank you.

THE PUBLIC: I wonder, Mr. Chairman,

if I could just briefly comment on your other question which I think is, in my view, the heart of some of the things that you are discussing, namely the health organizations' comments on the drop-out, social drop-out character of the passivity aspect, the non-constructive work mentality that perhaps the rest of us expect. There is no question in my mind that many young people and others, drugs or otherwise, drop out of the general, social stream of behaviour pattern.

There are others who do not and our question is not that there is an interconnection and we should look at it - which I think we must and the Commission I am sure will do so - but what are we going to do about it?

For example, I have tried very, very hard to understand the young man's presentation and I find it very difficult, but I don't want to put him in jail because I can't understand him, and I think this is the aspect that we are going to have to deal with, those of us who are in the so-called straight world of which I am a part. I do not feel that the social drop-out consequences can in any way be dealt with through criminal, punative legislation. We are going to have to deal with it as a social phenomena, and I think if we relate this whole question to what society is going to do about it, then the Commission, based on its finding about the implications of drug users, is still going to have to be confronted with

can we, in fact, through punitive legislation, make a person work when he feels much happier on an acid trip? And I think this is the guts of the question, as I see it.

We may draw antisocial or non-worker drop-out conclusions but I think that we are going to have to recognize that there are many people in society who will not identify with the overall objectives of this society and we cannot, in my view, necessarily draw the conclusion that somehow or other, we can force them into a particular pattern through punitive legislation.

That is the comment I wanted to make.

---(Applause)

THE PUBLIC: I would like to comment on the social question that you brought up. The R.C.M.P., I think, seemed to say that people who use drugs of various kinds would drop out of our society and would not be productive. In my experience, and I think, if you do look - I don't know how deeply you have gone into this - if you do look at the kind of people, or the number of people who are using drugs, there are some who drop out, who do nothing, I don't know quite what that means, but who do nothing.

But in terms of productivity, the people in their forties, in the early fifties, who

were using drugs, who, let's say, were using hash or marijuana, were musicians, let's aay they were sculpturers, I don't think that is non-productive. The people who are using - a lot of people who are using drugs today are people in the arts, in media. I don't know if a lot of the so-called straight-world are aware of it, but a lot of the media that they watch today, or at least a portion of it are assembled by people who are using drugs, of various kinds and the product - their product is, I think quite interesting, and valid. Just because people don't know that it has been assembled by this sort of person, by this type of person who has been using drugs, they accept it. Once they find out about it, or if they hear there is a "head" movie - there was a gentleman last night at the Penny Farthing who said he was a head "sculpturer". They seem to cast a pall on it and it is not as valid as it was before.

The point that I am trying to make is that people who use drugs can be extremely productive and I think the culture that exists today, or the sub-culture, is a manifestation of this.

Thank you.

THE PUBLIC: The gentleman that just spoke before me was talking about just the artist. Well, I go to university and as most of heads say, "All my friends smoke" and they are all in university, or completed their university degrees and are working in what the establishment

would call legitimate jobs, and they are not dropping out in any sense.

THE PUBLIC: It occurred to me - I spoke briefly this morning on the same topic, with respect to the question you are raising of people dropping out as a result of use of drugs.

Now, I think the statistics would likely support what the young lady had just commented on, that there are perhaps more people going to university today than at any period in past history in this country. There are probably more people graduating from Grade XII, Grade XIII, and I think there might be a danger of confusing dropping out from drugs with people who are dropping out at the age of 16 because they have been given far too much liberty by the society to make their decision to leave, and again, I say that the relevant issue is that perhaps another element of the latest nature should very seriously think of imposing legislation to raise the school-leaving age until 19.

I just want to make my point. It is my view that many of the peope who drop out at 16 have, in fact, dropped out at 14, that is psychologically they drop out two years before leaving.

Now, it is easy to confuse this group with people who apparently are taking marijuana, LSD, et cetera, and it could be that the Commission could get confused in they might

over-emphasize the drop-outs as automatically relating to the hippie group.

The rest of us will recognize now, in '69, what we might not have recognized in '67, that many of the people with long hair have appearances of being hippie, et cetera, who, in fact, have legitimate jobs in the community. A lot of them are artistic, a lot of them are in CBC, producers, directors, et cetera - I just thought that, because this morning I overheard a fellow speaking to someone else and he was a director and producer of some movie that has just been produced and he looks to me like a hippie, but apparently he wasn't one.

So it could be that one could criticize too quickly by the uniform that a person might be wearing.

MEMBER WITH MR. SAMUELS: I would like to agree with the fellow who said strongly that we should not have a punitive legislation and speak to the issue of passivity that supposedly derives from the taking of drugs. I am not sure that I agree with Mr. Samuels that the passivity is due to the drug-taking. I think it is much more likely that the passivity is a contra-posture and not a drug posture and that this reaction of passivity that has been noted, both by those of us on one side of the fence and the R.C.M.P. Commissioner, is a result of a reaction to the society in which we have all been brought up,

where achievement, i.e. aggression is a value. I think that value has been rejected.

I am also not sure that the taking of drugs can be said to be a catalystic activity, although it is true that very often the sociological framework in which drugs are taken is itself a catalyst and I think that the sub-culture tat has developed is much more likely to be an explanation of those kind of events in the drugs themselves and that is evidenced by the increasing production in the music field, which I think is really significant, also in advertising and in many other things like this.

THE CHAIRMAN: Dr. Lehman?

DR. LEHMAN: I should like to ask a question of you - a question that has bothered me for a long time, for years, actually.

There is the possibility that drugs do induce this kind of drop-out culture, or passivity, or whatever you want to call it, turning away from the technological society anyway. If this be so, then, would the large group of people who insist on taking these drugs, be prepared to stand on their own feet and say, "All right, we will not depend on the technology that exists, because we cannot run the executives and factories that make cars, or telephones, or produce penicillin, and so on. We will leave the technological society to their own resources and we will live our own lives, without cars, telephone,

and so on".
and without penicillin/ Would they be prepared to do this?

MEMBER: I beg your pardon?

DR. LEHMAN: Would this group be prepared to say that they can do without the technological - since they may not be able to contribute, they may be very creative artistically, and so on, but not technologically productive.

Now, would you accept to live in a society without this technology?

MEMBER: I don't think the rejection of the technological values is necessary to the sub-culture. I think it is possible to incorporate technological achievements and the whole apparatus. It is just that at the present stage, given the present usage of the technology, it is rejected. I think that once the technology is directed to more human goals then I do not see any problem in this regard, and I don't think that the sub-culture is down on it in that sense.

THE PUBLIC: I may have a partial answer to that, Dr. Leham. In Northern Ontario at the present time, there are a number of communes in which some of the so-called hippie generation people have resided - and I would say that these communes are operational at a very limited level. I would think only very few people of the present drug scene are ready to go to that extreme step. As a matter of fact, most people are extremely

grateful to the 9:00 to 5:00 secretary downtown because he or she is necessary in this tremendous cog-wheel that does support our society to the extent that they can live off it, to a certain extent.

I would think that, for instance, in Russion society, it is extremely difficult to maintain - it would be extremely difficult to maintain a drug scene as it is seen here in Toronto. Our society supports the drug scene and I would not think it is possible, I would not think it would be possible without the so-called straight world.

THE PUBLIC: I would like to say something that is a part of what Mr. Samuels is attempting to do up at the front. I listened to his submission with a great deal of frustration because it was obvious that the whole nature of the submission was actually a question of communication, a question of trying to bring the straight world and the hip world together to get some kind of dialogue going, but it is also obvious, at least to me, sitting back here, that we were missing by just enough that there was a kind of exasperation, a misunderstanding, even in the use of the words "passivity" or "drugs", for that matter. These things conjure up completely different images in terms of a hip world and the straight world, and the problem of communication, I think, this carries over into your question about

the effect of drugs upon society as a whole and whether this Committee has a purpose in inquiring into this aspect as well.

I think it definitely does because the effects are there whether the Committee is going to inquire into it or not. I don't think we have ever witnessed a decade quite as tumultuous or turbulent as the sixties, and I think that this has in no small part been contributed to by drugs and by what Mr. Samuels would refer to as the breaking down of the conceptual framework, our traditional acceptance of what is real, what is true, what is valuable and what is not valuable.

I think that this is one of the key matters here and it probably has to be wrestled with in a more realistic way than the kind of exasperation or frustration we get when we just bandy about the terms.

Thank you.

THE CHAIRMAN: Well, if I might just observe, and this is not defensively, we are here to be assisted. I don't know what is meant by exasperation, frustration, but we are here to be assisted as much as possible and it would assist us if in addition to emphasizing the importance of this question of different realities if you could help us to see these realities.

I don't think it assists us to just tell us that our reaction, trying as we are, engenders

exasperation. I think this is quite a block in communication today.

MR. STEIN: I perhaps got a somewhat different reading of what the speaker was saying. I didn't think he was suggesting that the exasperation and frustration was necessarily on the part of the Commission, or maybe this is my mistake, but I think he was suggesting that due to the nature of - perhaps he didn't say this, but the setting we are in, this room, the kind of formality of the proceedings and the structure with which Mr. Samuels is presenting the material, those are the frustrations perhaps as much - and I ask you to comment on this, Mr. Samuels, and the point of the giver as well as the receiver, but the Commission is very much aware of the need to seek out this kind of understanding, not only in this kind of a setting, and this is an important setting to hear this context discussed in.

I am glad that Mr. Samuels is attempting to do this for both myself, for the Commission and for the rest of the audience, but in commenting on the last speaker's remarks, I think it is important that those who are concerned about our exposure to this other reality, as it is called, are aware of our preparedness and our, in fact, willingness to go out into the other kind of reality. We are doing this - I don't know if the other Commissioners will comment on that, but I think it is a very critical point

that is being raised.

THE CHAIRMAN: Professor Bertrand?

PROFESSOR BERTRAND: Just one word, I mean, I feel the same way as Mr. Stein with the fact that there certainly is a great wish for us to understand what we think here. But just the same, Mr. President, I think if there are persons here in the audience who feel exasperated, it is part of the game to know their reactions.

THE PUBLIC: I would like to briefly discuss this defence mechanism or projection that the establishment tends to disown its own responsibilities quite often in dealing with direct cases. I can only speak from my personal experience, that I was talking to my probation officer the other day, who handles my conviction on drugs, and he says that they drop out, they sort of drop out, you know, who does the dropping? And one of his biggest problems is to get them back in again, they want to get back in again, but once they have got a record behind them, and often a rather asinine record, you know, with this Hemp, that they simply cannot get back in again whether they want to or not.

Now, do you say that they dropped out, you know? All right, they smoked something in the back room, but should they go for the rest of their life being punished for making a mistake?

Now, it is not just the probation officers working their fanny off to get these

1 people that have been alienated, but he sat back
2 at his desk and he said "There is a tendency for
3 these prosecution cases to become further and
4 further alienated, once they get in prison, once
5 they do a little time in jail, and their only
6 way of survival is the psychopathic patterns of
7 behaviour", because if they are turned out from
8 jobs, and that, they have got no alternative.
9 Now, this very much reminds me
10 of 1965. I was put on amphetamine for depression
11 at the time and I was a known speed addict at the
12 time, and they knew that, but they wanted to do
13 some psychoanalysis on that, but I went along
14 with it because I liked speed. And so, it was
15 all right for three years and they supplied me
16 with quite large addictive dosages from the
17 hospital between 5 and 10 tablets a day, which
18 my doctor told me was legal under the Canadian
19 Medical laws, that a known addict can be supplied.
20 Now, this is until I got busted, and
21 then when I came up in court, the court said "You
22 are going to have to cut him off", you know. So
23 when I got out of the hospital, I was a graduated
24 speed addict all over again. I had been two years
25 on it with large, addictive dosages.
26 Now, what the hell am I supposed to
27 do if I am cut off a legal supply? I had to go
28 and steal scripts from the hospitals, I had to
29 forge, I had to learn all these psychopathic
30 patterns of survival, didn't I, because I could

not get a job, I had a record, I tried to get a job, and finally I got accepted into a course for teaching and I got my books and this was after all the tests were made and everything like that, and I got my books and I got to class and I got a letter from the Minister of Health, and he said, "Because you have been in the hospital, we cannot accept you for this rehabilitiation", you know.

Well, the Addiction Research Foundation, they fired off a real hot letter and asbestos paper, you know, it was real hot, and they told the Department of Health, you know, where to go.

And this illustrates to me - I have been on speed for six years and it hasn't killed me - I am nearly dead, but it hasn't killed me yet. But each time I went back on the speed is because I couldn't get into the establishment I wanted to.

And you fellows up there, you talk about being dropped out, you know, and what it reminds me of is that you are disowning your own responsibility; but the establishment, it is like saying that I feel guilty, I don't want these imperfect people around, I don't want them coming back into the main stream of things.

So thebest thing to do is, if I don't want to feel guilty about it, I blame them, and I say they have dropped out, you know?

But what I am trying to say is that are they dropped out, or are they left out?

THE CHAIRMAN: Excuse me. I recognized Mr. Samuels, before you stood up.

MR. SAMUELS: I would just like to make two points to do with this discussion. First off, I don't choose this means of communicating with you because I like it, but only because I think that due to a great number of circumstances, probably one of the - well, this has to be done with the others, an attempt has to be made at it.

I also feel these frustrations of guilt. The other thing is that I think an interesting analogy to the problem of pattern of drug use, among different drugs and progression, one view is the one I mentioned before about foods. If you become a gourmet, you are going to run into certain foods and often you will try them an environmental kind of thing.

The other comment I have to make is that there is a great deal of socialization involved in a lot of these drugs, not that the socialization can be done other ways, or maybe even better ways, but any anti-social acitivity has to be assessed in the pure meaning of -- I mean, we know what the Americans mean in part when they say their soldiers are anti-social in Vietnam. It means they won't fight there.

Did you want to give the other people a question? Did you want to open it up?

THE CHAIRMAN: No, continue. I appreciate your allowing that interruption some long

time ago for the purposes of general discussion.

[illegible] to talk about speed, and again, I feel presumptuous talking about something like speed, but I don't want to talk about the experience, I just want to talk about some possible ideas of what speed is about, and some of the kind of - almost falacies that are going around here, philosophical falacies.

I think that one way of understanding the high school student's use of speed is that for a high school student, there isn't very much. If the high school student finds - the high school student who finds he cannot - that he is being dehumanized by the high school, that he isn't fulfilled by his high school life and things like that, often the only thing, the only things he can turn to are things like speed and those are the kind of exhilarating things he can turn to for a high school student, and I think that you might be very disappointed if you legalized marijuana. There is no way of knowing this, but you might be disappointed to find that a great number of people still did like speed, because speed has effects of its own, and you are not - I don't think that the drugs are going to be dealt with on the business of their harm, whether they are harmful, or whether a lot of people like them or not. People are going to go to these drugs because of what they are, and I mean

the whole idea - the problem becomes one of legislating life styles and whether or not it really is possible to legislate a life style, I don't think so.

The most - I would like to make it clear that I am making a point - - if the Committee was just here to analyse the present legislation, there would be a jurisprudential argument and a sort of social and political philosophy argument about the wisdom of different kinds of legislation and different kinds of cohersive means and what the role of society is, but the Committee, I think, has expressed, and I admire their desire to find out what people are up to, what the whole world is up to, so I am trying as well, I am trying to comment on that second aspect because the Committee is interested in it.

I think that the one point that has to be realized is that there is a culture, there is an underground culture and the whole world there that these people live in and that is attractive to a great number of people, that it provides some of the things that they couldn't find in the straight world, and you find it in the common interest in revolution and the common interest in revolution cannot be seen as a common interest in any particular notion of a revolution. But the notion is a revolution because the society they have come from is not livable and, therefore, there must be a revolution

so that that society is liveable, so that they can, so that people - so that they can live there.

And there is also the common notions and the things, the mystical things in certain literature and interesting things like hip comic books and the kind of comic bizarre characters from the drugstore stand, and there is a vast culture, then, that I think is indicative of a world existing there.

I would like to draw some conclusions from this assertion that there is a world there, that these people do live within a structure.

I think that it follows from what I have said that "the only solution," and I put that in quotes because I don't know - there are various meanings to that word - what solution is necessary, as I say, to make the so-called straight world inhabitable, to make it real. It has got to be a world that is morally equal to the hip world, or better, and which can provide people with work and lives which are, in capital letters WORK AND LIVES; in other words, everyone is going to be antisocial to that world. And I think that the use of any sort of coercion, and by any kind of coercion I mean coercive education, education thathas an end in sight, I mean coercion by law, I mean any kind of attitude in law - coercion - and especially I mean the violent coercion that happened all the time by the officers of the community.

It does nothing except to shore up the walls of the city by, number 1: binding those people closer together by their common dispisal of the intruders and common - the feeling of togetherness against that kind of quarrels that are being committed on their brethren, and in the common conviction that the world outside that wall is as it is expected, alien and enemy, that sends men with clubs after them.

And I think the Drug Committee, I think they have to consider the problem of legislating drug styles and they can't pass it off under drug abuse. It is drug use and it is a special kind of drug use and it has to be understood what this drug use is, whether or not it is abused and in what ways it is abused is a very, very complex problem.

I would like to make just several points in a narrower sphere that are tied in with this and that this gives context to.

In the areas of the laws in the present legal structure, I think that the most important words, the most important thing, and I mentioned this at York University, that the - you cannot state this argument in terms of legalization or illegalization and the illegalization being that of solely in terms of the criminal law has to be thought in terms of decriminalization. And to that end I would like to point out something that is very strange about the police opinion.

I know I have pointed it out once before. There is a notion of police subversion, not by people, but by laws, of a police force being subverted by laws - not unpopular laws, not by having to enforce the Lord's Day Act, but the laws which are not the kind of laws for them to enforce that makes them into nasty, spying, brutal people. And the police themselves don't recognize that, they don't even realize what their own duties are doing to themselves. You get an idea of it in a situation that is happening in the United States right now where you have the enforcement of marijuana laws because of their convenience, because of their non-criminal nature, they are easily used for purposes of getting after politicos. If the Commission wants, I can cite them a case - I know of a case for the Commission of a person who was arrested in the Province of Ontario for possession of marijuana, who was taken into the R.C.M.P. headquarters and whose questioning amounted to, from the beginning to the end, questions on his political activities. That is happening a lot in the United States.

I would like to also make a comment on a problem that I have noticed and it bothers the Committee very much and it is a problem of risk, a problem of what kind of understanding [illegible] act, what is the notion of -- and without getting into it, I submit that there is a tendency to use

1 a very strong [illegible] of [illegible], or
2 the word "to know", and we just don't act the way
3 people would like to say we act in terms of
4 discovering long term effect and terms like that.
5 And it is interesting to watch people, to think
6 of how people in the hip world, even if the
7 most intelligent people, even the most articulate
8 and the intelligent people, how they decide
9 whether or not to do a certain thing. It isn't
10 based on any kind of comprehensive understanding,
11 it is based - if you know that a great number of
12 people have taken LSD and a great number of girls
13 you know have had babies with LSD and nothing
14 has happened to them, and this is the kind of
15 pattern of use around you in which there are no
16 horrifying events, well, then, you have a very
17 good prima facie case to say that you can use it.
18 And I think that is why people -
19 that is one of the so-called hypocricies which is
20 a very complicated one, but someone will hold
21 up one rist, one obscure case as a risk and
22 that smacks of coercion because you know people
23 don't react in their life that way, you know that
24 they drive cars, they drink fruit, take food, you
25 know they buy things on the drug stand and they
26 do not know it from one end to the other, but they
27 have a certain amount of confidence and a certain
28 amount - in terms of - ordinary people have a
29 certain amount of authority and one of the biggest
30 problems in the hip world is there is no longer

authority because the authorities have deauthorized themselves, they said "We are not authorities", in some sense lying a lot in the past.

MR. CAMPBELL: Could I ask you a question?

I wonder if you find this a reasonable proposition? Through really the whole history of our civilization there have been people saying very much the same thing that you are saying, the contents of your expressions are the same, but we have had for centuries people who find the nature of their civilization, providing a life style to which they don't wish to adhere and to which they don't wish to accommodate. This is surely what happens in the case of the Orders of Monks, and Nuns, they effectively withdraw from that society, adopt a life style that contains values that are apathetical in many ways with a predominant society and they are withdrawing to live lives within those values and in a sense, to enjoy that privilege due to the affluence of the society that surrounds them.

Would it strike you that it would be reasonable for this society to respond, because I don't really see this society adapting, perhaps, enough. The mass of the people, the majority, want to adapt perhaps enough to make it a comfortable society for you. Would it be reasonable for them to say "Fine, we will grant you the same privilege that we grant to the Orders of Monks", or to the

1 others that have chosen a different life style,
2 to live your life style unmolested, to follow
3 your values, to follow your sacraments, and basically
4 doing your own thing in the ways others have
5 been allowed to?
6 MR. SAMUELS: I am certainly
7 not advocating that the society, that position
8 of the society. All I am saying, the gist of my
9 point is, you have a society in very real - in a
10 very real way. The children are not a part of it.
11 And I don't think it is going to help that
12 society to try and eat its children which you
13 say all the way along.
14 There are a great many number of
15 people who are not interested in that kind of
16 monk-existence, but are interested in doing what
17 I have called a real thing. They aren't interested
18 in being part of a society, and part of a community
19 and having activities and doing accomplishments.
20 The problem is that that thing that is called
21 society, that thing, those things that are
22 called achievements for a great many reasons, are
23 discovered to not be so, the so-called achievements
24 and so-called real pursuits are not very satisfying
25 for them.
26 There is a tendency to take the
27 conclusion of decriminalization to be -- well,
28 the obvious place for these things is under the
29 Food and Drug Act and I am an advocate of that
30 position, but I think that there is an analysis of

the Food and Drug Administration that has to be done as there are different aspects of it and it is important to distinguish between them.

As we know now, the drugs that we are talking about, half of them, some of them, are under the Narcotics Control Act, while others are under the Food and Drug Act right now and there is no distinction between those two, the name changes but that is all.

The Food and Drug Act cannot be used to--any more than the Narcotics Control Act. There are - the Act, I am not fully familiar with it but there are adulteration sections and pure food sections that prevent manufacturers from introducing certain harmful elements into food that they market and that is, it seems to me, a very legitimate thing to prevent them from pulling in a public where there is a sort of (produciary) relationship and you also have a section on prescriptions, the kinds of drugs the doctors can prescribe and again you have a (produciary) relationship where you have the doctors prescribing things for them and the lab proscribes what drugs the doctors can prescribe.

But those are notions - the one notion of decriminalization is that doctors get to prescribed drugs for addicts and that is an ambiguity.

We must realize that that is not describing in the sense that the doctor prescribes

thalydamide for a woman. It is to the woman coming to the doctor and saying "I want thalydamide. I know what may happen to my baby but I want thalydamide" and this is a very different thing, the law is in a very different place, and I think you will have to distinguish between those two notions of prescription because the same syndrome develops out of the notion of doctors prohibiting people from getting them when they ask them and the law prohibits them from getting them.

THE CHAIRMAN: I am going to have to conclude our Toronto hearings now. We have to make way in the Hall for others.

In doing so, I want to thank all of you, those who came on Thursday and Friday, to assist us.

The hearing has been most helpful to us and we very much appreciate the effort that has been put into it by the public and I should like to say also how much we appreciate the cooperation which we have received from the press. There was an incident earlier this afternoon which could have been misleading, but the Toronto press has been most careful to respect our request and not to take pictures where there is not consent and, indeed, last night, although they wanted to be inside the Penny Farthing, there was general agreement no pictures taken inside. So I wouldn't want any misunderstanding on that score.

We appreciate the manner in which our request has been honoured.

Thank you all very much.

---Adjournment at 5:30 p.m.